The City Council of the City of Raleigh met in regular session on Tuesday, May 17, 1983, at 1:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

Mayor York called the meeting to order and invocation was rendered by the Reverend L. D. Holt, Pastor of Emmanuel Baptist Church, after which the following items were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

MEMORIAL - RALPH CAMPBELL, SR., - PRESENTED

Mayor York read a memorial honoring the life of Ralph Campbell, Sr., who passed away on Sunday, May 15, outlining some of Mr. Campbell's accomplishments to the area. The memorial was accepted by Councilman Calloway who is also minister of Mr. Campbell's church. In accepting, Mr. Calloway indicated he would pass it on to the family.

CONTRIBUTION - PRO KEDS AND THE LOCKER ROOM - RECOGNIZED

Mayor York called on John Cincicola, Regional Field Representative for Pro Keds, and Randy Saunders, Manager of the Locker Room, for a presentation. Mayor York indicated a contribution of $1,000.00 plus uniforms for eight girls' teams in the Summer Basketball League has been presented by Pro Keds and uniforms for two girls' teams has been presented by the Locker Room. Mr. Cincicola indicated the checks have been deposited in the City's accounts. He indicated Pro Keds is very happy to be able to help out in this program indicating it is their way of saying thank you to everyone who wears Pro Keds. Mr. Saunders indicated they are privileged to be a part of the City of Raleigh and the revolution around women's sports.

PROCLAMATION - SHATTER SILENCE WEEK - PROCLAIMED

Mayor York read a proclamation proclaiming the week of May 22-28 as Shatter Silence Week in the City of Raleigh. The proclamation was received by Ms. Lila Burden, Ms. Eva Elmore and Cathy Dowd, of the Quota Club of Raleigh, Charlie Dority, the Hearing Impaired Child of the Year from Cary Elementary, her mother, Mrs. Pat Dority, Mrs. Elizabeth Tyner, a kindergarten teacher at Cary School and her classroom aid, Evelyn Allen. In accepting the proclamation, Ms. Elmore expressed appreciation to the Council for this proclamation indicating they hope the week will help inform the public of the potential that this segment of our population can offer. She expressed appreciation to the City's Parks and Recreation Program which provides for the hearing impaired.

LOCAL GOVERNMENT AWARD - 1983 BICYCLE AWARDS PROGRAM - PRESENTED

Mayor York called on Planning Director Chapman and Bob Mosher of the Planning Department and presented the North Carolina Department of Transportation's Government Award - 1983 Bicycle Awards Program. In making the presentation, Mayor York indicated this award was mentioned at the last meeting and Mayor Pro Tem Walters and Councilman Upchurch officially received the award in a State ceremony last week. In accepting the award on behalf of the City, Planning Director Chapman indicated the Planning Department is responsible for coordination of the Bicycle Program but the program is carried out with the help of the Parks and Recreation Department, Public Works Department and the Department of Transportation and the support of the Raleigh City Council.

GEORGE C. FRANKLIN AWARD - GEORGE CHAPMAN - COMMENDED

Mayor York read a commendation explaining Planning Director George Chapman had received the George C. Franklin Award for his participation in the Institute of Government course.

PROCLAMATION - POPPY DAYS - PROCLAIMED

Mayor York read a proclamation proclaiming Poppy Day in the City of Raleigh. Ms. Gwen Conklin, President of the American Legion Auxiliary Unit 1, Ms. Kelly Conklin, Little Ms. Poppy, and Ms. Flo Jones, Poppy Chairman, were at the meeting to receive the proclamation. Ms. Jones presented a Citation of Appreciation to the Raleigh City Council in recognition and sincere appreciation of the outstanding service and assistance which contributed to the advancement of the American Legion Auxiliary Programs. Little Ms. Poppy presented each Council Member with a Poppy.

CENTRAL BUSINESS DISTRICT ADVISORY COMMITTEE - MEMBERS RECOGNIZED

Mayor York indicated when the Central Business District Advisory Committee was established, they had a task before them and that was the development of the

Fayetteville Street Mall. He indicated that task is complete and the Council would like to recognize those persons who have served throughout the years. He indicated some of the members have been on since its inception which was about ten years ago. Mayor York presented Certificates of Appreciation and a Plaque of Appreciation to Leslie A. Pearce, who had been Chairperson of the CBDAC since its inception. Mayor York then recognized the following members and presented them with Certificates of Appreciation: James E. Cofield, G. Wesley Williams, Martha McLaughlin and Clarence Coleman. Mayor York recognized the following, however, they were not present and their Certificates will be mailed: J. K. Sherron, Jr., F. Guy Walker, John B. Long, Jr., Kyle F. Hall, George M. Anderson, Larry Zieverink, Sr., Wade Smith, John Hudson, Vassar P. Shearon, Waverly F. Aikens, James B. Womble, A. L. Henderson, L. Allen White, Jr., and W. Earl Barden. A Certificate was also presented to Mayor G. Smedes York, one of the original members. Mayor York indicated two of the persons who served on the Committee, Jim Jeffries and Manley H. Cosper, are deceased.

Mr. Pearce indicated it had been an honor for him to serve and be Chairman of this group. He indicated no Chairman is any better than the Committee and the Committee Members he has worked with have done a tremendous job. He stated he feels this is just a start on where Raleigh can go in the State and nation. He stated it is a challenge to all who continue the work.

CERTIFICATES OF APPOINTMENT - VARIOUS - PRESENTED

Mayor York explained the Certificate of Appointment presentation and presented the following Certificates: Human Resources and Relations Advisory Committee - Paul Thompson; Downtown Advisory Committee - Ames Christopher, Alice Garland-Swink, Seth Gaskill, Bob Williams, Miller Sigmon, Margie Haywood, James H. Brown, Jr., Steve Kelly, Wesley Williams, Betty Twiggs, Burnie Reeves, Frank Anderson, Jr., and Oppie Jordan.

COUNTY/MUNICIPAL GOLF TOURNAMENT - NOTED

Mayor York indicated during the upcoming weekend, the 12 municipalities in Wake County are participating in a golf tournament. He indicated there was a request that each municipality have a representative in the tournament. Mayor York presented a hat commemorating the tournament to Councilman Upchurch, the Captain of the City of Raleigh's golf entry.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. He indicated if a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote. Mr. Edwards REQUESTED THAT THE BID FOR PUBLIC NUISANCE ABATEMENT AT 409 RUCKER STREET BE WITHDRAWN. Mr. Calloway REQUESTED THAT THE PROPOSED CETA OJT SUBCONTRACT MODIFICATIONS BE WITHDRAWN. Without objection, these two items were withdrawn. Mr. Upchurch MOVED THAT ADMINISTRATION'S RECOMMENDATION ON THE REMAINING ITEMS ON THE CONSENT AGENDA BE UPHELD. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

The items on the Consent Agenda were as follows:

PRIVILEGE LICENSE - BREAKFAST HOUSE - APPROVED

This was a privilege license application for Breakfast House, 2106 Hillsborough Street, in the name of the owner, Tony Hammock. The request is for a live entertainment classified as a class one entertainment center. POLICE AND BUILDING/ZONING INSPECTION REPORTS EACH INDICATE APPROVAL. Consent Agenda approval: Upchurch/Walters - 8 ayes.

FIELD OPERATION CENTER - PROPOSED SECURITY SYSTEM - LEASE AUTHORIZED

This is a proposed lease agreement with Sonitrol of East Carolina, Inc., for the burglar alarm, and smoke detection system within the Utility Field Operation Center, which is presently under construction.

This lease agreement was developed by contacting by telephone the three alarm system operators in Raleigh that presently have company operated and manned central stations for monitoring such systems. Of those three companies, only two responded to the request for interview and negotiation of a lease agreement. Sonitrol submitted the lowest proposal of price of the two submitting, by a factor of approximately $102.00 or $2,000.00 over the term of the lease.

RECOMMENDATION: It is requested that the proposed lease agreement be executed on behalf of the City of Raleigh for this system so that its installation may proceed on a timely fashion. Consent Agenda approval: Upchurch/Walters - 8 ayes.

JOBS BILL - PROPOSED HEARING - AUTHORIZED FOR JUNE 7, 1983

On May 17, 1983, the City Council will hold a public hearing to receive comments for the Community Development Jobs Bill additional funds. According to HUD regulations, two public hearings must be held before an application can be submitted for these funds.

RECOMMENDATION: It is requested that City Council schedule a second public hearing for the June 7 evening Council Meeting to receive citizens' comments on the budget to be submitted for these funds. Consent Agenda approval: Upchurch/Walters - 8 ayes.

REHABILITATION WARRANTY CASE - 913 EAST DAVIE STREET - APPROVED

It is requested that the City Council authorize $757.00 to be used from the Rehabilitation Warranty line item to satisfy warranty claims brought to our attention by the homeowners and verified by staff inspection.

All rehabilitation work has a one-year warranty and the contractor has not honored this warranty by returning to make necessary repairs. The Community Development Department has requested its attorney to take legal action against the contractor on behalf of the homeowner in an attempt to regain the funds necessary to honor the warranty claims.

RECOMMENDATION: Council authorization is recommended. Consent Agenda approval: Upchurch/Walters - 8 ayes.

PROFESSIONAL SERVICES - STREET IMPROVEMENTS - DAVIE STREET - SOLICITATION AUTHORIZED

In accordance with Standard Operating Procedure 100-5, this is to request approval for retention of professional services. The project will consist of the widening of Davie Street in the 600 and 700 Blocks, in accordance with the adopted Redevelopment Plan for Thompson School - Lucille Hunter School, Phase II. Also included will be sidewalk, plus upgrading of a sewer line.

The process for soliciting professional services will be in accordance with Standard Operating Procedure 100-5. The C.D. Project Officer will serve as the Project Manager.

RECOMMENDATION: Approval of this request is recommended and, if approved, a request for transfer of funds ($15,000.00) is also recommended. Consent Agenda approval: Upchurch/Walters - 8 ayes. See Resolution 231 TF 39.

HOUSING ASSISTANCE PLAN - PUBLIC HEARING AUTHORIZED ON JUNE 7, 1983

The Housing and Community Development Act of 1974 requires that every city receiving Community Development Block Grant funds must submit a Housing Assistance Plan (HAP) to be updated every three years. In its Housing Assistance Plan, each city is to survey its housing conditions; assess the housing assistance needs of its low and moderate income households; specify goals for the number of dwelling units for lower income households to be assisted; and indicate the general locations of proposed assisted housing developments.

Each city expecting to receive entitlement funds must submit a Housing Assistance Plan prior to its submission of the final Community Development statement.

RECOMMENDATION: It is recommended that the City Council schedule a public hearing for the June 7 evening Council Meeting to receive comments on the Housing Assistance Plan. Consent Agenda approval: Upchurch/Walters - 8 ayes.

GREENWAY GIFT - SOL KAPLAN - ACCEPTANCE AUTHORIZED

Sol Kaplan has offered to give the City a 4.978 acre tract adjacent to Gorman Street, Walnut Creek, and existing City greenway property. A map showing the area proposed as a gift in yellow will be available at the Council Meeting. The Planning Director and Bob Mosher have reviewed this information and recommend that the deed of gift be readily accepted as an addition to our greenway holdings in this vicinity.

RECOMMENDATION: Council acceptance of such a gift is recommended. Consent Agenda approval: Upchurch/Walters - 8 ayes.

TAXICAB OWNER'S PERMIT - VARIOUS - APPROVED ON FIRST READING; TO BE PLACED ON JUNE 7, 1983, AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet Code requirements. Administration RECOMMENDS APPROVAL OF THE APPLICATIONS ON THE FIRST READING WITH THE UNDERSTANDING THAT THEY WILL BE PLACED ON THE AGENDA FOR JUNE 7, 1983, FOR SECOND AND FINAL CONSIDERATION.

Edward Swight Cotton, Lincoln Cab Company (New Individual Owner's Permit)

John Jasper Green, Jr., Ebony Cab Company (New Individual Owner's Permit)

Mary Elizabeth Lucas, Ebony Cab Company (New Individual Owner's Permit)

Francis K. Wathika, Safeway Cab Company (New Individual Owner's Permit)

BUDGET AMENDMENTS - PARKS AND RECREATION AND PUBLIC UTILITIES - APPROVED

The Agenda presented budget amendments in the Parks and Recreation Department, one in the amount of $1,755.00 relating to reimbursement from insurance company for damage to Nash Square Wall and a second in the amount of $8,000.00 to permit Senior Citizen activities to continue for the remainder of the year. The Agenda also presented a budget amendment in the amount of $57,470.00 in the Public Utilities Department relating to the Twin Pines Utility Project to provide funds for award of contract WS 1983-3, per the agreement with Twin Pines, Ltd. It was pointed out the $10,000.00 will be provided immediately and remainder will be secured by a letter of credit and will be provided to the City on demand.

Administration RECOMMENDS APPROVAL OF THE BUDGET AMENDMENTS AS OUTLINED. Consent Agenda approval: Upchurch/Walters - 8 ayes.

ORDINANCE NO. (1983) 113

AN ORDINANCE TO AMEND THE 1982/1983 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1982/1983 Budget be amended as follows to provide funds for award of contract WS 1983-3, per agreement with Twin Pines, Ltd., $10,000.00 will be provided immediately, remainder will be secured by letter of credit and will be provided to City on demand:

Revenue:	81-1-2002-101	Twin Pines, Sect. 2	$54,470.00
Expense:	81-2-2002-101	WS 1983-3	$54,470.00

Section 2. That the 1982/1983 Budget be amended as follows to permit Senior Citizens Activities to continue for remainder of fiscal year:

Revenue:	19-1-8030-001	Trips, Fees, Etc.	$ 8,000.00
Expense:	19-2-8030-200	Trips	$ 8,000.00

Section 3. That the 1982/1983 Budget be amended as follows to reflect reimbursement from insurance company for damage to Nash Square Wall (Receipt No. M332287):

Revenue:	37-1-0070-200	Misc. Income	$ 1,755.00
Expense:	37-2-1090-100	Grounds Maintenance	$ 1,755.00

Adopted: 5/17/83

COMMUNITY DEVELOPMENT REHAB CASES - APPROVED

The following Community Development rehabilitation loan applications have been researched and reviewed according to administrative procedures and are recommended for City Council approval.

Case Number: B-81-MC-010
Jacob B. and Shirley Allen
609 S. East Street
Loan Amount: $16,300.00

Case Number: B-82-MC-001
William W. and Annie D. Hurdle
1010 E. Martin Street
Loan Amount: $9,500.00

RECOMMENDATION: Approval is recommended. Council Members will have additional information included in their Agenda packet. Consent Agenda approval: Upchurch/Walters - 8 ayes.

ZUCHELLI, HUNTER AND ASSOCIATES' CONTRACT - EXTENSION - INFORMATION RECEIVED

On May 5, 1983, the City Manager's Office received a letter from Zuchelli, Hunter and Associates requesting an extension of time to their present contract from April 30, 1983, to May 31, 1983. In that the contract had already expired, the Council Meeting was not scheduled until May 17 and Zuchelli, Hunter and Associates needed to meet with Mr. Ziegler of Cranston Development Corporation to conclude negotiations on a proposed agreement. The City Manager signed the extension. No additional funds were required. The information was received without comment.

TAXES - LISTING, BILLING AND COLLECTION - INFORMATION RECEIVED

The City has for years contracted with Wake County to perform these services for the City. Since 1979, the County's charge for this has been 75 cents per bill. We have

been notified by the County that the charge per bill will be increased to 94 cents and this charge will be effective for the Fiscal Year 1983-84. The item was received without comment.

CETA OJT CONTRACTS - CITY MANAGER'S APPROVAL - INFORMATION RECEIVED

On May 10, 1983, the City Manager signed a modification contract with Creech Concepts, Inc., which provides training for one additional person. The contract period is for three months and will have a total CETA cost of $1,120.00.

On May 10, 1983, the City Manager signed a modification contract with K & W Cafeteria, which provides for a decrease of one position. The position deleted is a Counter-Supply worker. This will decrease the contract by $1,608.00.

The items were received without comment.

BILTMORE HILLS AND RIDGE ROAD SWIMMING POOLS - CHANGE ORDER #G-1 - APPROVED - FUNDS APPROPRIATED

Change Order #G-1 relating to Biltmore Hills and Ridge Road Swimming Pools was presented. The change order relates to Clancy & Theys contract and is an addition of $2,739.00. The change order is needed to install a draft stop in the ceiling and an access opening as a requirement by the City Inspector. The Agenda listed the budget accounts that would need to be amended if the change order is approved. Administration RECOMMENDS APPROVAL OF THE CHANGE ORDER AND TRANSFER AS OUTLINED. Consent Agenda approval: Upchurch/ Walters - 8 ayes. See Resolution 231 TF 39.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of administrative transfers which have been approved by the City Manager according to Council procedure. CONCURRENCE WITH THE MANAGER'S ACTION IS RECOMMENDED. Consent Agenda approval: Upchurch/ Walters - 8 ayes. The transfers were as follows:

From	To	Amount
01-2-4020-226	01-2-4020-227	$ 52.50
01-2-6010-275	01-2-6010-259	600.00
01-2-1040-292	01-2-1040-293	325.00
01-2-1080-265	01-2-1080-261	810.00
19-2-8390-227		250.00
19-2-8390-221		250.00
	19-2-8390-992	500.00
19-2-8390-534		500.00
19-2-8390-231		400.00
	19-2-8390-100	900.00
01-2-6000-731	01-2-6000-733	363.00
01-2-1030-211	01-2-1030-277	270.00
01-2-5060-616	01-2-5060-260	122.84
18-2-0700-708		337.48
18-2-0700-261		100.00
18-2-0700-213		100.00
	18-2-0700-270	537.48
02-2-5200-101		17.11
02-2-5200-231		300.00
02-2-5200-260		335.90
	02-2-5200-265	653.01
01-2-6000-702		133.20
01-2-6000-231		506.46
	01-2-6000-235	639.66
01-2-1030-211	01-2-1030-100	166.94
01-2-1040-001	01-2-1140-265	385.00
18-2-0800-227	18-2-0800-225	600.00
01-2-6010-275	01-2-6000-236	550.00
01-2-1080-265	01-2-1080-228	375.00
01-2-5020-700	01-2-5020-611	575.00
43-2-4010-232	43-2-4010-237	100.00
01-2-1210-265	01-2-1210-213	150.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS AND FROM VARIOUS APPROPRIATIONS - RESOLUTION AND ORDINANCE ADOPTED

The Agenda presented a list of transfers within various accounts for purposes as stated therein and appropriations from contingencies.

Administration RECOMMENDS APPROVAL OF THE TRANSFERS AND APPROPRIATIONS AS OUTLINED. Consent Agenda approval: Upchurch/Walters - 8 ayes.

RESOLUTION NO. (1983) 231 TF 39

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 29, 1982, and included

in the budget for the fiscal year ending June 30, 1983, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 38-2-1000-100	Council Reserve	$ 2,739.00
To 38-2-2010-101	Swimming Pool A	2,739.00
Purpose: Change Order - Swimming Pools Biltmore Hills & Ridge Road, Clancy & Theys, G-1.		
From 37-2-1000-100	Council Reserve	$ 750.00
To 01-2-1160-265	Appraisals	750.00
Purpose: Payment of appraisal fee of 16.51 acres Lake Dam Road, Interstate 40.		
From 43-2-4100-232	Rent	$ 591.08
From 43-2-4010-232	Rent	591.08
To 43-2-4090-232	Rent	1,182.16
Purpose: To provide sufficient funds for rehab's portion of May and June rent, and clear account of deficit balance.		
From 81-2-1000-300	Reserve for Co. Proj.	$ 1,400.00
To 81-2-1062-103	Blue Ridge Easement	1,400.00
Purpose: To provide sufficient funds for completion of easement acquisition for Blue Ridge sewer line.		
From 37-2-8996-200	Comfort Stations	$ 8,400.00
From 37-2-1000-100	Council Reserve	8,400.00
To 37-2-1150-100	Roof Evaluations	16,800.00
Purpose: System-wide evaluation of all roofs, 29 facilities.		
From 34-2-3805-101	General Contract	$ 9,195.00
To 34-2-3805-100	Municipal Block	9,195.00
Purpose: Change Order - New Municipal Building - Mid-South Construction Company, G-3.		
From 34-2-3805-100	Municipal Block Complex	$ 12,954.00
To 34-2-3805-113	Electrical Contract	12,954.00
Purpose: Change Order - New Municipal Building - Bolton Corp., E-4.		
From 84-2-1060-000	EMJ Plant Expansion	$195,000.00
To 84-2-1060-102	EMJ Design B	10,000.00
To 84-2-1060-110	Belt Filter - Reserve	185,000.00
Purpose: E. M. Johnson Plant Expansion, to provide for design, purchase and installation of second belt filter press.		
From 84-2-1650-000	Raw Water Main	$ 12,490.00
To 84-2-1640-105	CP&L Substation	12,490.00
Purpose: Provide funds for CP&L to install temporary substation during construction.		
From 38-2-1000-100	Council Reserve	$ 3,220.00
To 38-2-2010-105	Swimming Pool Elec.	3,220.00
Purpose: Biltmore Hills and Ridge Road Pools, E-1, Crocker Electric Company.		
From 43-2-9170-300	House Moving	$ 15,000.00
To 43-2-9043-300	Davie Street Eng.	15,000.00
Purpose: To provide funds for Davie Street Engineering.		
From 32-2-1000-100	Reserve for Co. Projects	$ 48,700.00
To 32-2-4494-101	PW 1982-1	48,700.00
Purpose: Change Order - Street Construction - C. C. Mangum, Inc., No. 1.		

Adopted: 5/17/83

ORDINANCE NO. (1983) 114 TF 19

AN ORDINANCE TO AMEND THE 1982/1983 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That $16,190.00 of the General Fund Contingency appropriation, Code Account 01-2-1040-001, is hereby transferred from that appropriation and added to the appropriations made in the 1982/1983 budget ordinance as follows:

$13,190.00 to Code Account 01-2-1230-265, Other Services, to provide the 33.8% City Share of consultant design contract to replace telephone lease lines on the traffic computer system with City-State owned facilities.

$1,800.00 to Code Account 01-2-4110-282, Training Supplies, to provide funds for firefighter recruitment.

$1,200.00 to Code Account 01-2-1010-211, Advertising, to supplement account for remainder of fiscal year.

Adopted: 5/17/83

BID WS 1983-3 - BID AWARDED TO HAWLEY CONSTRUCTION, INC.

Pursuant to advertisement as required by law, bids were received on Tuesday, April 26, 1983, on City of Raleigh Contract WS 1983-3 entitled, Laurel Hills Sanitary Sewer Extension - Section 1 in the office of the City Engineer. The result of the bids was as follows:

Hawley Construction, Inc.	Basic Bid (VCP Pipe)	$58,481.00
	Alt. "A" (ABS Pipe)	$57,975.00
	Alt. "B" (PVC Pipe)	$57,470.00
Shelton L. Barefoot Utility Co.	Basic Bid (VCP Pipe)	$61,580.20
	Alt. "A" (ABS Pipe)	$61,154.35
	Alt. "B" (PVC Pipe)	$60,569.20
J.F. Wilkerson Cont. Co., Inc.	Basic Bid (VCP Pipe)	$70,694.25
	Alt. "A" (ABS Pipe)	$70,136.65
	Alt. "B" (PVC Pipe)	$68,114.65
Boykin Construction Co., Inc.	Basic Bid (VCP Pipe)	$74,368.50
	Alt. "A" (ABS Pipe)	$69,895.50
	Alt. "B" (PVC Pipe)	$70,704.30
R.E. Hayes General Cont., Inc.	Basic Bid (VCP Pipe)	$74,388.30
	Alt. "A" (ABS Pipe)	$73,971.70
	Alt. "B" (PVC Pipe)	$73,072.75
RGK, Inc.	Basic Bid (VCP Pipe)	$79,421.60
	Alt. "A" (ABS Pipe)	$79,826.00
	Alt. "B" (PVC Pipe)	$78,446.60

Administration RECOMMENDS THAT THE CONTRACT BE AWARDED TO THE LOW BIDDER, HAWLEY CONSTRUCTION, INC., IN THE AMOUNT OF $57,470.00 (ALTERNATE B). Consent Agenda approval: Upchurch/Walters - 8 ayes.

END OF CONSENT AGENDA

PUBLIC NUISANCE ABATEMENT - 409 RUCKER STREET - REFERRED TO THE PUBLIC WORKS COMMITTEE

The Inspections Division has notified Capital Funds, Inc., Box 146, Shelby, North Carolina, concerning the abatement of the public nuisance at 409 Rucker Street. The owner has failed to abate the public nuisance and the Inspections Division received bids on April 26, 1983, for the abatement of the public nuisance.

G. M. Holland and Sons submitted a low bid of $2,463.00 for the abatement of the public nuisance. This was the only bid submitted for the abatement of the nuisance. In reviewing the conditions, the Inspections Division is recommending the approval of the bid of G. M. Holland and Sons.

RECOMMENDATION: Approval of this bid is recommended. (The policy requires Council approval in the abatement of public nuisances exceeding $1,000.00.)

Mr. Edwards indicated he had requested this item be withdrawn from the Consent Agenda. He indicated because of the amount involved, he would like to look at this in Public Works Committee and MOVED THAT THE PUBLIC NUISANCE ABATEMENT BID FOR 409 RUCKER STREET BE REFERRED TO PUBLIC WORKS COMMITTEE. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CETA OJT SUB-CONTRACT MODIFICATIONS - VARIOUS - APPROVED

OJT Contract Modification #2 - C. C. Mangum, Inc.

This is a request to authorize the modification of the existing on-the-job contract with C. C. Mangum, Inc. The purpose of this modification is to decrease slot level by four (4) since the contractor is unable to fill these slots. Slots deleted are Earth Stone Roller Operator, Asphalt Distributor, Asphalt Paver Operator, and Asphalt Roller Operator. This will decrease the $10,014.00 contract amount by $7,968.00 - changing the modified contract amount to $2,046.00.

RESOLUTION NO. (1983) 241 TF 40

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following transfer of funds is hereby authorized to deobligate funding for four (4) positions since contractor is unable to fill said positions:

From:	03-2-5450-100	C. C. Mangum, Inc.	$7,968.00
To:	03-2-5400-535	O.J.T. Contingency	$7,968.00

Adopted: 5/17/83

Except that which appears in the above explanation of this modification, all terms and conditions of the contract remain unchanged.

OJT Contract Modification #4 - Southern Case, Inc.

This is a request to authorize the modification of the existing on-the-job contract with Southern Case, Inc. The purpose of this modification is to decrease slot level by four (4) since the contractor is no longer in need of these positions. Slots deleted are for Machine Operators. This will decrease the $9,438.00 contract amount by $7,060.00 - changing the modified contract amount to $2,378.00.

RESOLUTION NO. (1983) 242 TF 41

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following transfer of funds is hereby authorized to deobligate funding of four positions due to positions no longer needed by contractor:

From:	03-2-5421-100	Southern Case, Inc.	$7,060.00
To:	03-2-5400-535	O.J.T. Contingency	$7,060.00

Adopted: 5/17/83

Except that which appears in the above explanation of this modification, all terms and conditions of the contract remain unchanged.

OJT Contract Modification #2 - Texaco Food Mart

This is a request to authorize the modification of the existing on-the-job contract with Texaco Food Mart. The purpose of this modification is to decrease slot level by six (6) since the contractor is no longer in need of refill positions. Slots deleted are one (1) secretary and five (5) sales clerks. This will decrease the $14,560.00 contract amount by $11,765.00 - changing the modified contract amount to $2,795.00.

RESOLUTION NO. (1983) 243 TF 42

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following transfer of funds is hereby authorized to deobligate funding of six positions no longer needed by contractor:

From:	03-2-5442-100	Texaco Food Mart	$11,765.00
To:	03-2-5400-535	OJT Contingency	$11,765.00

Adopted: 5/17/83

Except that which appears in the above explanation of this modification, all terms and conditions of the contract remain unchanged.

OJT Contract Deobligation

This is a request to deobligate funds which were approved for contracting with Orkin Exterminating Company and Carolina Welding Supplies for OJT positions. The employer has decided not to fill their slots due to business slow down. The amount of these contracts to be deobligated are: $836.00 for two (2) Exterminators/ Orkin Exterminating Company; and $2,272.00 for one (1) Purchasing Agent/Carolina Welding Supplies.

RESOLUTION NO. (1983) 244 TF 43

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following transfer of funds is hereby authorized to deobligate funding of contracts due to employers no longer needed positions:

From:	03-2-5444-100	Carolina Welding Supp.	$2,272.00
From:	03-2-5449-100	Orkin Exterminating	836.00
To:	03-2-5400-535	OJT Contingency	$3,108.00

Adopted: 5/17/83

RECOMMENDATION: It is recommended that the City Council approve these contract modifications and authorize the Mayor to sign them.

Mr. Calloway indicated he had a question about the number of modifications on the past several Agendas. He indicated in view of the problems everyone is having finding jobs, he just questioned why so many are being deleted and where the monies go. City Manager Zachary indicated he had the same question and when he discussed this with the Director of Human Resources Department, the only answer he got is that businesses are just not hiring as many people as they anticipated. City Manager Zachary indicated when the City deobligates a particular contract, the money goes back in the same line item to be reobligated. Mr. Calloway MOVED THAT THE CETA OJT CONTRACT MODIFICATIONS AS OUTLINED BE APPROVED. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

SPECIAL ITEMS

CAPITAL BUDGET - REFERRED TO THE FIRST BUDGET WORK SESSION

During the May 3, 1983, Council Meeting, the City Council directed that the Capital Budget be placed on this Agenda for consideration. Ms. Babb indicated she would like to ask that we hold action on the Capital Budget and take action either after the night portion of the Council Meeting or at the next meeting. She pointed out some people are on the night portion of the Agenda to discuss the Capital Budget. Ms. Babb moved that the Council hold action on the Capital Budget. Mr. Edwards questioned if Ms. Babb would consider amending her motion to indicate HOLD ACTION ON THE CAPITAL BUDGET AND CONSIDER IT AT THE FIRST REGULAR BUDGET WORK SESSION. Ms. Babb agreed to this amendment and the motion as amended was seconded by Mr. Edwards.

Mr. Walters indicated he was prepared to make a presentation on this now but he would be glad to wait and hear what the people have to say tonight. He again indicated he came prepared to make a recommendation today as he does not know why Mr. Edwards wants to hold it until Budget Work Session. Mr. Edwards stated he would just like an opportunity to hear what the people have to say and time to think it over before taking action. After brief discussion with Mr. Walters pointing out, the Council has already agreed to go ahead with the gym at Green Road contrary to the verbatim he received from Mr. Yates. After other discussion, the motion as amended was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda indicating all items received a unanimous vote of the Planning Commission explaining the Planning Commission Consent Agenda will be considered in the same manner as the regular Consent Agenda. Mayor York indicated HE WOULD LIKE TO BE EXCUSED FROM PARTICIPATION IN CR-1932 (TC-232) AS HE HAS AGREED TO SERVE ON THIS BOARD. Mr. Walters REQUESTED THAT CR-1928 (S-67-83) AND CR-1929 (PA-170) BE WITHDRAWN. Mr. Edwards REQUESTED THAT CR-1901 (PA-165), CR-1971 (TC-234) AND CR-1972 (TC-242) BE WITHDRAWN. Mr. Edwards also REQUESTED THAT HE BE EXCUSED FROM PARTICIPATION IN CR-1962 (S-61-83). He explained his company did not do any of this particular work but they have worked on this property and he does not feel he should vote. It was agreed that Mr. Edwards and Mr. York would be excused from participation on the items as requested and the items requested for withdrawal would be withdrawn. Mr. Calloway MOVED THE PLANNING COMMISSION'S RECOMMENDATION ON THE REMAINING ITEMS ON THE CONSENT AGENDA BE UPHELD. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. The items on the Consent Agenda were as follows:

TC-232 - LIFE CARE COMMUNITY - APPROVED AS AMENDED

This was a request for approval to introduce the concept of a "life care community" for the elderly into the Residential-6 classification and below.

CR-1932 from the Planning Commission recommended that TC-232, as amended in the ordinance attached to CR-1932, be approved as amended. Consent Agenda approval: Calloway/Jordan - 7 ayes. (Mayor York excused during vote on the Consent Agenda.)

ORDINANCE NO. (1983) 115 TC 182

AN ORDINANCE TO PERMIT LIFE CARE COMMUNITY, CONGREGATE CARE, AND CONGREGATE LIVING STRUCTURES IN RESIDENTIAL-6 AND OTHER RESIDENTIAL ZONING DISTRICTS.

WHEREAS, N.C.G.S. 160A-381 and 383 authorize the City of Raleigh to establish zoning districts and to permit uses in those districts;

WHEREAS, the Raleigh City Council finds that the elderly are a growing segment of the population of Raleigh, for example, in the 1960 census, 6.47 percent of the population was sixty-five years and older and, in the 1980 census, 8.27 percent of the population was sixty-five years and older;

WHEREAS, according to the 1980 census, the average number of people living in an occupied housing unit in Raleigh is 2.74 and the average number of people living in an occupied housing unit with one or more persons sixty-five years and older is 1.36; therefore, making congregate care and congregate living structures equivalent in density to on-half a dwelling unit will not result in increased population densities;

WHEREAS, the United States Congress in 12 USC § 1701r, found that there is a large and growing need for suitable housing for older people both in urban and rural areas; our older citizens face special problems in meeting their housing needs because of the prevalence of modest and limited incomes among the elderly, their difficulty in obtaining liberal long-term home mortgage credit, and their need for housing planned and designed to include features necessary to the safety and convenience of the occupants in a suitable neighborhood environment;

WHEREAS, the federal government has enacted various housing programs for the elderly 42 USC 1410, Section 202 of the 1959 Housing Act, and the National Housing Act which are available to persons sixty-two years and older;

WHEREAS, a number of sources have indicated that the elderly own less cars than other population groups. These sources include LASZLO ARANYI & LARRY GOLDMAN, DESIGN OF LONG-TERM CARE FACILITIES, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, LOW RISE HOUSING FOR OLDER PEOPLE BEHAVIORAL CRITERIA FOR DESIGN;

WHEREAS, various sources have recommended that the elderly live in low-rise housing structures which encourage walking - SANDRA HOWELL, DESIGNING FOR AGING; U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, CONGREGATE HOUSING FOR THE OLDER PEOPLE; U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, LOW RISE HOUSING FOR OLDER PEOPLE BEHAVORIAL CRITERIA FOR DESIGN;

WHEREAS, the National Fire Protection Association 101 Life Safety Code and the North Carolina Department of Human Resources Division of Facility Services require a minimum of thirty square feet of dining or dayroom areas per two beds; and

WHEREAS, the Raleigh City Council finds that this ordinance will facilitate the construction of housing with features necessary for the well being and convenience of the elderly without adverse impact to surrounding neighborhoods.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that:

Section 1. Section 10-2002 of the Raleigh City Code relating to definitions is hereby amended to insert two new definitions, "congregate care or congregate living structures" and "life care community" said definitions shall follow the definitions of "Compact parking space" and "Internal illumination" respectively and shall read as follows:

"Congregate care structure or congregate living structure. A structure containing two or more dwelling units and rooming units limited in occupancy and occupied by persons sixty-two (62) years and older; their spouses; or surviving spouses, except for rooms or units occupied by resident staff personnel, providing indoor conveniently located shared food preparation service and major dining areas and common recreation, social, and service facilities for the exclusive use of all residents. The shared food preparation service, major dining, recreation, social, and service facilities shall be provided at a minimum rate of thirty (30) square feet per dwelling unit or per rooming unit exclusive of circulation space. Facilities for resident managers or custodians providing administrative services and medical services for the exclusive use of the residents shall be located on the site. No congregate care structure or congregate living structure shall be constructed without a central interior circulation system to all units through at least one main controlled entranceway to the congregate structure. The required minimum outdoor open space or park areas provided shall be the greater of ten percent (10%) of the land area of the development or one-hundredth (.01) of an acre per unit (435.6 square feet per unit) excluding private drives and off-street parking areas. A majority of said open space or park areas shall be located no further than three hundred (300) feet from the controlled entranceway of any congregate structure.".

"Life care community. One or more buildings or structures located on one or more lots devoted to the rendering of housing in conjunction with health and nursing care, food preparation service and related service facilities, social and recreational opportunities for the elderly and their spouses that reside in the Life Care Community. The facilities must include:

(a) A minimum total of 100 dwelling units or rooming units in a congregate care or congregate living structures limited to and occupied by persons 62 years of age and older, their spouses, or surviving spouse;

(b) Health care, medical (outpatient) nursing care, and emergency facilities for exclusive use of all persons in the life care community;

(c) Shared food preparation service and major dining areas and common spaces for recreation, social, and service facilities conveniently located indoors and available to all residences in the life care community at a minimum rate of 30 square feet per dwelling unit or per dwelling room exclusive of circulation space; and

(d) The required minimum outdoor open space or park areas provided shall be the greater of ten percent (10%) of the land area of the development or one-hundredth (.01) of an acre per unit (435.6 square feet per unit) excluding private drives and off-street parking areas. A majority of said open space or park areas shall be located no further than three hundred (300) feet from the controlled entranceway of any congregate structure.

Section 2. The definition of "equivalent dwelling unit" contained in Raleigh City Code Section 10-2002 is hereby amended to add a new sentence, said sentence to follow the last sentence of this definition and shall read as follows: "For purposes of computing the families per acre permitted by this chapter, efficiency apartments, one and two dwelling units, or rooming units contained in a congregate care or congregate living structure limited in occupancy and occupied by persons sixty-two (62) years and older in age, their spouses, or surviving spouses shall carry an equivalent density of one-half dwelling unit provided the maximum occupancy of any unit shall be two persons not related by blood, marriage, or adoption.".

Section 3. The words "home for the aged" contained in the second sentence of the definition of "rest home" in Section 10-2002 of the Raleigh City Code are hereby repealed and in lieu thereof the following words are inserted "elderly health care unit."

Section 4. Section 10-2026 of the Raleigh City Code relating to permitted uses in Residential-6 districts is hereby amended to add two new subsections, 10-2026(i) and 10-2026(j), said new subsections are to follow 10-2026(h) and they shall read as follows:

"(i) Congregate care or congregate living structures provided that such structures shall also meet the applicable unit ownership (condominium) development, multi-family dwelling development, and group housing development requirements of this code when such congregate structures are defined as multi-family dwelling, unit ownership (condominium) development, or group housing development.

(j) Life care communities; and all accessory uses allowed under 10-2026(f) subject to the same conditions of 10-2026(f)(1) and (2), except major dining and food preparation service areas and other services facilities are exempt from the maximum square footage requirements of 10-2026(f)(2)(i), when:

(1) a. no building or structure in a life care community is located within thirty (30) feet from the exterior boundary lines of the development;

b. no parking or loading area for accessory uses allowed in 10-2026(f) and 10-2026(j), for structures over forty feet in height, for structures with more than eight dwelling units per floor, or for any combination thereof is located twenty-five (25) feet from any lot line residentially zoned.

The foregoing required yard spaces in life care communities are supplemental to other yard spaces required in this code; however, these other yard spaces may be utilized to satisfy the foregoing requirements if they otherwise comply with the requirements of 10-2026(j)(1); and

(2) All service/loading facilities are permanently screened year round from any lot line residentially zoned; said screen shall uniformly reduce the horizontal view from the abutting or adjoining residential lot by at least seventy-five percent (75%) to a height of at least six (6) feet above the ground elevation. If plant materials are used this standard shall be achieved within three years from initial planting. If a fence or wall is used for screening, plantings on the outside of the fence or wall shall be installed which will hide the horizontal view of the fence or wall by more than fifty percent (50%) within three years from installation of the fence or wall; and

(3) Heated enclosed pedestrian corridors or breezeways are provided from dwelling units in congregate care or congregate living structures to all required dining and common indoor spaces and all uses allowed under 10-2026(j) contained in the life care community, if such congregate structures contain more than eight dwelling units per floor and the congregate structure is less than five stories in height.".

Section 5. Section 10-2061(a)(1) of the Raleigh City Code is hereby amended to add a new subsection, 10-2061(a)(1)i, said new subsection to follow 10-2061(a)(1)h and shall read as follows:

"i. Congregate care structure or congregate living structure one (1) space for every three (3) dwelling units or dwelling rooms plus one (1) space for every three-hundred (300) square feet of administrative, employee, and staff work area.".

Section 6. Section 10-2061(a)(2)f of the Raleigh City Code is hereby repealed and rewritten to exclude rest homes, and reenacted to read as follows:

"f. Hospitals one space for every two (2) beds.".

Section 7. Section 10-2061(a)(2) of the Raleigh City Code is hereby amended to add a new subsection, 10-2061(a)(2)j, said new subsection to follow 10-2061(a)(2)i; and shall read as follows:

"j. Rest Homes, one (1) space for every three (3) beds plus one (1) space for every three-hundred (300) square feet of administrative, employee, and staff work area.".

Section 8. The table designated Yard Requirements and Density Standards According to Zoning Districts referred to in Section 10-2063 of the Raleigh City Code and appearing on Page 10-40 of the Supplement No. 5, 10-82, is hereby amended to add three asterisks following the eighth column heading entitled Families Per Acre and to add to the bottom of said table the following footnote: "* * * see definition for equivalent dwelling unit.".

Section 9. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 10. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 11. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 12. This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 13. This ordinance shall become effective upon its adoption.

Adopted: 5/17/83

TEXT CHANGE TC-241 - PROPOSED OPEN SPACE - PUBLIC HEARING AUTHORIZED

This was a request to authorize the advertisement of a text change which will change the open space standards for group housing and multi-family developments, and cluster developments.

CR-1949 from the Planning Commission recommended that the proposed text change attached to CR-1949 be authorized for public hearing with the July zoning cases. Consent Agenda approval: Calloway/ Jordan - 8 ayes.

SUBDIVISION S-76-81 - BALLPARK TOWNHOUSES REVISION - APPROVED WITH CONDITIONS

This was a request for approval to revise the site plan by showing a one-way, private driveway from Kent Road to Kaplan Drive, and to shift the buildings to face this drive. The previous approval was to 16 townhouse units on 1.6 acres, zoned Residential-10.

The property is located on the northern corner of Kaplan Drive and Kent Road, south of Western Boulevard, inside the City Limits.

CR-1950 from the Planning Commission recommended that this request be approved according to a map entitled, "Ballpark Townhouses Revision," the property of Rodger N. Ball, drawn by Jim Billups, dated December 31, 1982, with the condition that the legal documents for the homeowners association be reviewed and approved by the City Attorney's Office prior to recording the plat. Consent Agenda approval: Calloway/ Jordan - 8 ayes.

SUBDIVISION S-90-81 - VILLAGE-ON-THE-GREEN REVISION - APPROVED WITH CONDITIONS

This was a request for approval to relocate four (4) townhouse units from Shellburne Drive to Villa Green Court, and extending Villa Green Court 130 feet east for a total length of 660 feet.

The property is located on the north side of Lynn Road, east of Lead Mine Road and bounded on the east by Lead Mine Creek, outside the City Limits.

CR-1951 from the Planning Commission recommended that this request be approved according to a map entitled, "Village-on-the-Green Revision," the property of Paragon

Development Company, drawn by John W. Harris, dated August 4, 1981, revised February 4, 1983, with the condition that, if a non-profit homeowners association is formed, the legal documents be reviewed and approved by the City Attorney's Office prior to recording the final plat. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-47-83 - DR. EDGAR D. BAKER PROPERTY - APPROVED WITH CONDITIONS

This was a request for approval to subdivide 18.67 acres which are presently undeveloped and zoned Residential-4 into three (3) lots and one (1) 9.54 acre tract which will be recombined with Lot 5 of Kent Hundred Subdivision.

The property is located on the north side of Ebenezer Church Road, west of Duraleigh Road, outside the City Limits.

CR-1952 from the Planning Commission recommended that this request be approved according to a map entitled, "Dr. Edgar D. Baker," the property of Dr. Edgar D. Baker, drawn by Bass, Nixon and Kennedy, Inc., dated April 19, 1983, with the following conditions: (1) that the off-site sanitary sewer easement deed be recorded prior to signing engineering drawings by the Public Utilities Director; and (2) that the recombination of the 9.54 acre tract and Lot 5 of Kent Hundred Subdivision be recorded prior to the recording of Lots 1, 2 and 3. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-48-83 - RUTH B. SMITH PROPERTY - APPROVED

This was a request for approval to subdivide a 12.8 acre tract into 13 lots, zoned Office and Institution-I (4.2 acres) and Residential-4 (8.6 acres). The site is currently developed with a single-family unit.

The property is located at the southeast corner of Creedmoor Road (NC 50) and Strickland Road, outside the City Limits.

CR-1953 from the Planning Commission recommended that this request be approved according to a map entitled, "Ruth B. Smith Property," the property of Ruth B. Smith, drawn by Geoffrey McLean and Company, dated May 4, 1983. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-51-83 - CORNWALLIS SQUARE OFFICE CONDOMINIUMS - APPROVED WITH CONDITIONS

This was a request for approval to construct 16 office condominium units in four (4) buildings (31,500 total square feet) on a 1.7 acre tract which is currently undeveloped and zoned Office and Institution-I.

The property is located on the east side of Barrett Drive at the intersection of Barrett Drive and Browning Place, inside the City Limits.

CR-1954 from the Planning Commission recommended that this request be approved according to a map entitled, "Cornwallis Square Office Condominiums," the property of JAG Associations, drawn by Envirotek, Inc., dated May 4, 1983, with the following conditions: (1) That the legal documents for the non-profit group association be reviewed and approved by the City Attorney's Office prior to recording the final plats; and (2) that the lots be recorded prior to recording any condominium plats. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-53-83 - MAGNOLIA RUN - APPROVED

This was a request for approval to subdivide 9.58 acres which are currently vacant into 13 quadraplex lots, zoned Residential-6.

The property is located on the north side of Lynn Road, adjacent to Village-on-the-Green Subdivision outside the City Limits.

CR-1956 from the Planning Commission recommended that this request be approved according to a map entitled, "Magnolia Run," the property of Wayne and Reginald Dillard, drawn by Hoerner and Associates, dated April 1, 1983. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-54-83 - SUN CREEK TOWNHOUSES - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct 88 townhouse units on a currently vacant 17 acre parcel, zoned Residential-6.

The property is located at the end of Farmgate Road, just west of Buck Jones Road, inside the City Limits.

CR-1957 from the Planning Commission recommended that this request be approved according to a map entitled, "Sun Creek Townhouses," the property of Century 21 - Sunbelt Properties, Inc., drawn by Dennis C. Priest, dated April 29, 1983, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Calloway/ Jordan - 8 ayes.

SUBDIVISION S-57-83 - HOMEPLACE SQUARE, SECTION 2 - APPROVED

This was a request for approval to subdivide 12.10 currently vacant acres into 17 lots, zoned Residential-10.

The property is located south of Millbrook Road, between Hoyle and Walenda Drives, inside the City Limits.

CR-1958 from the Planning Commission recommended that this request be approved according to a map entitled, "Homeplace Square, Section 2," the property of W. B. Nivison, drawn by Bass, Nixon and Kennedy, Inc., dated March 23, 1983. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-58-83 - WINCHESTER POINTE AT GREYSTONE - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct 54 townhouse units on 10.25 acres of land which is currently undeveloped and zoned Residential-6.

The property is located at the southwest corner of Sawmill Road and Bluffridge Drive, outside the City Limits.

CR-1959 from the Planning Commission recommended that this request be approved according to a map entitled, "Winchester Pointe at Greystone," the property of Franklin-Lee Homes, Inc., drawn by Jerry Turner and Associates, dated April 1, 1983, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-59-83 - CROSSWINDS FOUR - APPROVED WITH CONDITIONS

This was a request for approval to subdivide 65.9 acres which are currently undeveloped and zoned Residential-4 into 97 lots.

The property is located between Strickland and Sawmill Roads, adjacent to Greystone Village Development to the south, outside the City Limits.

CR-1960 from the Planning Commission recommended that this request be approved according to a map entitled, "Crosswinds Four," the property of Community Properties, Inc., and Development Associates, Inc., drawn by Dennis Priest, dated April 1, 1983, revised April 10, 1983 and May 3, 1983, with the condition that the 1.7 acre parcel of land located at the southwest corner of this project be recombined to adjacent property prior to recording any lots within this project. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-60-83 - STONEHENGE DRIVE SUBDIVISION - APPROVED

This was a request for approval to subdivide 17.1 acres into five (5) lots, zoned Residential-10 (13.6 acres) and Office and Institution-III (3.5 acres).

The property is located on the east side of Creedmoor Road (NC 50 North), north of Sawmill Road, outside the City Limits.

CR-1961 from the Planning Commission recommended that this request be approved according to a map entitled, "Stonehenge Drive Subdivision," the property of Development Associates, drawn by Tom Coffey and Associates, dated March 24, 1983, revised April 18, 1983. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-61-83 - BISHOPS PARK, PHASE 3 - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct 72 condominium units on 3.12 acres, zoned Office and Institution-I. The site is currently under development of Phase 1 and 2.

The property is bounded by Glenwood Avenue and Washington Street, inside the City Limits.

CR-1962 from the Planning Commission recommended that this request be approved according to a map entitled, "Bishops Park, Phase 3," the property of Martin-McGuire, Inc., drawn by Dockery, Hunter, Reynolds and Jewell, PA, dated April 1, 1983, with the condition that the legal documents be reviewed and approved by the City Attorney's Office prior to recording the condominium plats; and that the requested variance to Section 10-2075(d)(3)d be approved. Consent Agenda approval: Calloway/Jordan - 7 ayes. (Mr. Edwards excused during vote on the Consent Agenda.)

SUBDIVISION S-62-83 - CARRIAGE BLUFFS AT GREYSTONE - APPROVED WITH CONDITIONS

This was a request for approval to subdivide 14.94 acres which are currently undeveloped and zoned Residential-6 into three (3) lots and approval to develop 18 townhouse units on proposed Lot 1.

The property is located on the north side of Sawmill Road, west side of proposed Bluffridge Drive, outside the City Limits.

CR-1963 from the Planning Commission recommended that this request be approved according to a map entitled, "Carriage Bluffs at Greystone," the property of Ammons Construction Company, drawn by Jerry Turner and Associates and Bass, Nixon and Kennedy, Inc., dated March, 1983, with the condition that the legal documents for the non-profit homeowners association be approved by the City Attorney's Office prior to recording the final plat. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-65-83 - LAKE LYNN APARTMENTS PROPERTY - APPROVED

This was a request for approval to dedicate the right-of-way for Barton's Landing Road and Lynn Road Extension. The total property area is 20.8 acres, zoned Residential-10 and Conservation/Buffer and currently undeveloped.

The property is located north of proposed Lynn Road Extension, between Ray Road and Lake Lynn, outside the City Limits.

CR-1964 from the Planning Commission recommended that this request be approved according to a map entitled, "Lake Lynn Apartments Property," the property of Drexel Corporation, drawn by Jerry Turner and Associates and Bass, Nixon and Kennedy, Inc., dated March 31, 1983. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SUBDIVISION S-68-83 - NORTH BEND OFFICE CONDOMINIUM REVISIONS - APPROVED WITH CONDITIONS

This was a request for approval to allow the developer to sell the first and second floors as separate units. This request would allow up to 48 condominium units in five (5) buildings, previously approved as 24 units in five buildings. The total square footage of the project would not increase. The site is 3.9 acres in size, zoned Office and Institution-III, and is currently under development.

The property is located at the north end of Faringdon Place, just north of North Bend Drive, inside the City Limits.

CR-1966 from the Planning Commission recommended that this request be approved according to a map entitled, "North Bend Office Condominium Revisions," the property of Robuck Homes, Inc., drawn by Envirotek, Inc., dated May 3, 1983, with the condition that, if the legal documents or recorded plans are to be revised, the City Attorney's Office and other City offices review and approve the revisions prior to recording those revisions. Consent Agenda approval: Calloway/Jordan - 8 ayes.

SC-196 - GROCERY BOY JUNIOR SIGN - APPROVED

This was a request for approval to construct a six foot by six foot (6' x 6') free-standing sign on a one (1) acre parcel which is zoned Shopping Center and currently developed as a convenience store.

The property is located on the east side of Jones-Franklin Road, at the intersection of Jones-Franklin and Cary-Macedonia Roads, outside the City Limits.

CR-1969 from the Planning Commission recommended that this request be approved according to a map entitled, "Grocery Boy Junior Sign," the property of Grocery Boy, Jr., Inc., drawn by Gulf Oil and Bass, Nixon and Kennedy, undated. Consent Agenda approval: Calloway/ Jordan - 8 ayes.

GH-141 - WAYNERIDGE APARTMENTS - APPROVED

This was a request for approval to construct 32 apartment units on 3.88 acres, zoned Residential-10 (2.7 acres) and Conservation/ Buffer (1.18 acres). The developer is transferring five (5) units from the Conservation/Buffer District to developable Residential-10 land. This is the maximum density transfer allowed by the Code.

The property is located north of the Southern Beltline, between Jones-Franklin Road and Lake Johnson, inside the City Limits.

CR-1970 from the Planning Commission recommended that this request be approved according to a map entitled, "Wayneridge Apartments," the property of White Oak Development Corporation, drawn by Thomas G. Coffey, dated March 28, 1983, revised March 31, 1983 and April 21, 1983. This site plan utilizes the maximum density transfer allowed from the Conservation/Buffer District. The plan conforms to the design requirements of the Group Housing standards. Consent Agenda approval: Calloway/Jordan - 8 ayes.

REZONING Z-6-83 - HILLSBOROUGH ROAD - DENIED

This was a request for approval to rezone approximately 3.7 acres from Neighborhood Business to Industrial-I.

CR-1974 from the Planning Commission recommended that Z-6-83 be denied. Consent Agenda approval: Calloway/Jordan - 8 ayes.

REZONING Z-55-83 - LEESVILLE/RAY ROADS - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 21.66 acres from Residential-4 to Residential-10.

CR-1976 from the Planning Commission recommended that Z-55-83 be approved as requested. Consent Agenda approval: Calloway/Jordan - 8 ayes.

ORDINANCE NO. (1983) 116 ZC 121

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Woman's Club Drive, east side, at its intersection with National Drive, being a portion of Parcel 40, Tax Map 434, approximately 9 acres rezoned to Office and Institution-I District, according to map on file in the City of Raleigh Planning Department. (Z-52-83)

(b) Creedmoor Road, east side, at its northern intersection with Lynn Road, being Parcel 132, Tax Map 350, rezoned to Office and Institution-II District with a 10 foot Conservation/Buffer along the eastern edge of the property and a 5 foot Conservation/Buffer along the north side of the property, according to map on file in the City of Raleigh Planning Department. (Z-54-83)

(c) Area located between Leesville Road and Ray Road on the east side of Lake Lynn, being a portion of Parcel 31, Tax Map 322, approximately 21.66 acres rezoned to Residential-10 District, according to map on file in the City of Raleigh Planning Department. (Z-55-83)

(d) Creedmoor Road, east side, at its northern intersection with proposed Sawmill Road Extension, being Parcel 359 and a portion of Parcel 3, Tax Map 323, approximately 22 acres rezoned to Residential-10 District, according to map on file in the City of Raleigh Planning Department. (Z-56-83)

(e) Fall of Neuse Road, west side, between Spring Forest Road and Sandy Forks Road, being Parcels 18 and 37, Tax Map 352, approximately 4.8 acres rezoned to Shopping Center District. (Z-59-83)

(f) U.S. Highway 1, beginning approximately 700 feet east of the right-of-way, at intersection with Old Wake Forest Road Extension, being Parcel 78, Tax Map 354, approximately 60.35 acres rezoned to Residential-10 District. (Z-60-83)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective on the date of adoption, May 17, 1983.

Adopted: 5/17/83

REZONING Z-60-83 - U.S. HIGHWAY 1 - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 60.35 acres from Residential-6 to Residential-10.

CR-1977 from the Planning Commission recommended that Z-60-83 be approved as requested. Consent Agenda approval: Calloway/Jordan - 8 ayes. See Ordinance 116 ZC 121.

END OF PLANNING COMMISSION CONSENT AGENDA

PA-165 - GLENWOOD EXECUTIVE CENTER - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to construct parking and driveways on Office and Institution-III zoned land, and to grade land zoned Conservation/Buffer for the proposed parking lots.

The property is located on the east side of Glenwood Avenue, just north of Morehead Drive, inside the City Limits.

CR-1901 from the Planning Commission recommended that this request be approved according to a map entitled, "Glenwood Executive Center," the property of Clancy & Theys, drawn by J. N. Pease Associates, dated March 18, 1983, revised May 5, 1983.

Mr. Edwards indicated he had requested that this item be withdrawn from the Consent Agenda and would REQUEST THAT PA-165 - GLENWOOD EXECUTIVE CENTER BE REFERRED TO PUBLIC WORKS COMMITTEE. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SUBDIVISION S-67-83 AND PA-170 - FRANKLIN CENTER - APPROVED

This was a request for approval to construct a three-building office condominium project on 3.86 acres of land zoned Office and Institution-III. The three (3)

buildings would contain 37,570 square feet. The applicant also requests that he be allowed to measure his 50 foot setback required under Office and Institution-III zoning from the existing property line.

The property is located on the east side of Jones-Franklin Road, just north of Penwood Drive, outside the City Limits.

CR-1928 from the Planning Commission recommended that this request be denied according to a map entitled, "Franklin Center," the property of Franklin Road Properties, drawn by Thomas and Associates, dated March 18, 1983.

PA-170 was a request for approval to construct a 37,750 square foot office condominium project on the same property. The applicant also requested a variance to allow his setbacks to be measured from the existing right-of-way line along Jones-Franklin Road (Section 10-2063(b)) which would allow parking and driveways less than 50 feet from residentially zoned property. The Planning Commission, through CR-1929, had recommended that this be denied also.

Mr. Walters indicated he had requested that this subdivision and plan approval be withdrawn from the Consent Agenda. He indicated he understands that there was no one at the Planning Commission to discuss these items. Mr. Walters MOVED THAT THE TWO REQUESTS BE APPROVED ACCORDING TO A MAP ENTITLED, "FRANKLIN CENTER," THE PROPERTY OF FRANKLIN ROAD PROPERTIES, DRAWN BY THOMAS AND ASSOCIATES, DATED MARCH 18, 1983. His motion was seconded by Mr. Keller. Mr. Graham indicated a Planning Commission Subcommittee studied this very carefully. He stated the applicant didn't hire counsel to represent him through that process. He stated after it came back to the Planning Commission with the recommendation of denial, the applicant hired an attorney. He stated at that point, there was some comment that there was additional information available. Lengthy discussion took place with Mr. Walters pointing out the Planning Department should have dug into this question. He stated that this is adjacent to residential property now but it probably will not be residential in the future. He stated if the road is widened, it will only encroach into the 50 foot setback, however, the State has no plans to widen the road now or in the future so he feels that is a mute point. He stated even if it is widened, this property, he does not feel, will be adjacent to residential so there would not be a 50 foot setback. He stated he felt it could have been worked out if someone had looked into it. Mr. Keller indicated he, too, is very familiar with the property and there are so many if's and the denial was based on so many if's. He, too, pointed out the State has no plans to widen the road. After brief discussion, the motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TEXT CHANGE 234 - NEW ZONING PROCEDURES - REFERRED TO INTERGOVERNMENTAL COMMITTEE

This was a request for approval to amend Section 10-2113 of the Zoning Ordinance concerning "Amendment, alterations, changes" to the Zoning Map and to amend subsections (a), (b) and (c) of Section 10-2113.

CR-1971 from the Planning Commission recommended that TC-234, as amended, be adopted, according to the ordinance attached to CR-1971.

Mr. Edwards indicated he would REQUEST THAT TC-234 BE REFERRED TO THE INTERGOVERNMENTAL COMMITTEE. His motion was seconded by Mr. Upchurch. Mr. Walters pointed out this would change the whole schedule pointing out if the Intergovernmental Committee brought it back to the first meeting in June, it would not interfere with the schedule. The motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TC-242 - PROPOSED ZONING PROCEDURE TEXT CHANGE - REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

This was a request that a text change which will give proponents and opponents equal time to present their viewpoints at zoning hearings be authorized for advertisement.

CR-1972 from the Planning Commission recommended that the proposed text change, TC-242, attached to CR-1972, be authorized for public hearing with the July zoning cases.

Mr. Edwards indicated he requested that this be withdrawn from the Consent Agenda and would MOVE THAT TC-242 - PROPOSED ZONING PROCEDURE TEXT CHANGE BE REFERRED TO INTERGOVERNMENTAL COMMITTEE. His motion was seconded by Mr. Upchurch and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SUBDIVISION S-32-83 - CAMBRIDGE SQUARE - APPROVED WITH VARIANCE

This was a request for approval to construct 90 townhouse units on 14.89 acres, zoned Residential-6. The applicant is also requesting a variance to Sections 10-2075(b)(3).

The property is located on the south side of North Bend Drive, just west of Falls of the Neuse Road, inside the City Limits.

CR-1926 from the Planning Commission recommended that this request be approved according to a map entitled, "Cambridge Square," the property of Robuck Homes, Inc., drawn by John A. Edwards and Company, dated March 1, 1983, and that the variance to

Section 10-2075(b)(3) be granted to allow for a private street greater than 800 feet in length.

Mr. Edwards indicated this is one of his company's projects, therefore, he would like to be excused from participation. WITHOUT OBJECTION, MR. EDWARDS WAS EXCUSED FROM VOTING ON THIS MATTER. Planning Commission Chairman Graham presented the Certified Recommendation and explained it. Mr. Calloway MOVED THAT THE PLANNING COMMISSION'S RECOMMENDATION AS OUTLINED ON CR-1926 BE UPHELD. His motion was seconded by Mr. Jordan and put to a vote which resulted in all members voting in the affirmative except Mr. Edwards who was excused. THE MAYOR RULED THE MOTION ADOPTED.

SUBDIVISION S-52-83 - SMOKETREE - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to subdivide 82.5 acres into 230 lots, zoned Residential-6 (23 acres) and Residential-4 (59.5 acres). The property is currently undeveloped.

The property is located on the east side of U.S. 1 North, bounded by Berkshire Downs Subdivision on the east side and Homestead Mobile Home Park on the north side, outside the City Limits.

CR-1955 from the Planning Commission recommended that this request be approved according to a map entitled, "Smoketree," the property of Smoketree Corporation, drawn by Robert T. Newcomb, III, dated March, 1983, with the following conditions to provide for orderly and efficient development of this immediate drainage basin and to address the concerns of protection of the stream water quality downstream of this development: (1) That the sewage treatment facility be designed to accommodate the total upper drainage basin with possible phasing on construction of the treatment plant; (2) that the indicated sanitary sewer lines and mains on the plat be dedicated to the City; (3) that a storm water management plan and program be developed that would insure that there would be a minimal adverse impact on downstream water quality to be approved by the City's Soil Conservation Staff and the Planning Department; (4) that the developer pay the initial cost for the installation of the sanitary sewer lines with reimbursements through acreage fees for 12-inch and larger trunk lines; (5) that the developer pay utility acreage fees as the property is developed; (6) that the developer pay a system development fee for each dwelling unit which will be determined later by the City and would be used to aid in development of the sewer system to ultimately serve this basin; and (7) that the City may add a user surcharge to aid in the capital cost associated with the ultimate service of sanitary sewer in this area.

Mr. Edwards indicated the Public Works Committee has another subdivision that is in Committee that is proposing to use the package waste treatment facilities. He indicated later in the Agenda, the Public Works Committee is going to ask to have a study item referred to the Committee to come up with a policy and he would REQUEST THAT SUBDIVISION S-52-83 - SMOKETREE BE REFERRED TO PUBLIC WORKS COMMITTEE. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TC-239 - HOUSING REVISIONS - APPROVED

This was a request for approval to amend and revise Part 7, Chapter 4, "Housing Code Enforcement," in the City Code of the City of Raleigh to clarify questionable rules and regulations within the Code and to bring it in line with recent changes in the State Building Code.

CR-1973 from the Planning Commission recommended that TC-239 be approved according to the ordinance attached to CR-1973.

Mr. Edwards MOVED THE PLANNING COMMISSION'S RECOMMENDATION AS OUTLINED ON CR-1973 BE UPHELD. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 117 TC 183

AN ORDINANCE TO AMEND THE CITY OF RALEIGH HOUSING CODE.

WHEREAS, Part 6 of Article 19 of the North Carolina General Statutes, Chapter 160A and Section 22(46) of Chapter 1184 Session Laws 1949, authorize the City of Raleigh to establish minimum Housing Standards.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that:

Section 1. Subsections 7-4121(c)(9) and 7-4121(c)(20) of the Raleigh City Code relating to the definitions of "inspector" and "unfit for human habitation" are hereby repealed, rewritten, and reenacted to read as follows:

"(9) Inspector shall mean Inspections Superintendent or his authorized Inspector.

(20) Unfit for Human Habitation shall mean that conditions exist in a dwelling, dwelling unit, rooming house or rooming unit which violate or do not comply

with one or more of the minimum standards of fitness or one or more of the requirements established by this article.".

Section 2. The words "building inspector" appearing in Subsections 7-4122(1)a., b. and c. of the Raleigh City Code are hereby replaced with the following words, "Inspections Division."

Section 3. Subsection 7-4122(2)(a) of the Raleigh City Code, relating to required windows, is hereby repealed, rewritten, and reenacted to read as follows:

"(a) Every existing habitable room shall be provided with a window with a minimum of six square feet or a gravity or mechanical ventilation system approved by the Inspections Division.".

Section 4. Subsection 7-4122(2)c of the Raleigh City Code, relating to bathroom ventilation, is hereby repealed, and Subsections 7-4122(2)d. and e. are hereby relettered 7-4122(2)c and d, respectively.

Section 5. Subsection 7-4122(3)a. of the Raleigh City Code is hereby repealed, rewritten, and reenacted to read as follows:

"a. Screen for Insects. During the period of April 1 to October 1, inclusive, for the protection against mosquitoes, flies and other insects, every door opening directly from a dwelling or dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space used, designed, or intended to be used for ventilation shall be likewise provided with screens; provided that dwelling units containing central air-conditioning equipment or window type air-conditioning units which will satisfactorily cool and ventilate the dwelling unit are not required to have screens in door and window openings.".

Section 6. The words "building inspector" appearing as the last two words of Subsection 7-4122(3)j of the Raleigh City Code are replaced with the words "Inspections Division."

Section 7. Subsection 7-4122(4)e.2. of the Raleigh City Code, relating to basement windows, is hereby repealed, rewritten, and reenacted to read as follows:

"2. The total window area in each room is equivalent to the minimum window area size as identified in Section 7-4122(2)a.".

Section 8. Subsection 7-4122(4)e.4 of the Raleigh City Code, relating to window openings in basements, is hereby repealed, rewritten, and reenacted to read as follows:

"4. The total of openable window area in such habitable room is equivalent to at least the minimum required under Section 7-4122(2)b., except where there is supplied another device for adequate ventilation by the Inspections Division.".

Section 9. Subsection 7-4122(4)e.5. of the Raleigh City Code relating to windows in recreation rooms is hereby repealed.

Section 10. The words "building inspector" appearing in Subsection 7-4124(a) of the Raleigh City Code are replaced with the words "Inspections Division."

Section 11. The words "building inspector" appearing in Subsection 7-4124(b) of the Raleigh City Code are replaced with the words "Inspections Superintendent."

Section 12. Subsection 7-4124(b)(4) of the Raleigh City Code is hereby repealed, rewritten, and reenacted to read as follows:

"(4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purpose of this article or to impose such duties upon the regularly appointed Plumbing, Sanitation and Electrical Inspectors as approved by the Inspections Superintendent.".

Section 13. The last sentence of Subsection 7-4125(c) of the Raleigh City Code relating to reinspection fees is hereby amended to change the fee from five dollars ($5.00) to read "ten dollars ($10.00)."

Section 14. The first paragraph of Subsection 7-4129(b) of the Raleigh City Code, relating to membership of the housing appeals board, is hereby amended to add a new sentence, said new sentence to follow the second sentence of said paragraph and shall read as follows: "In addition, there shall be two (2) alternate members appointed to the board by the Mayor and Council of the City of Raleigh.".

Section 15. The third and fourth sentences of the second paragraph of Subsection 7-4129(b) of the Raleigh City Code are hereby repealed, rewritten, and reenacted to read as follows:

"If the Council should decide to exercise such additional jurisdiction, one (1) of the members and an alternate member shall reside outside the corporate limits

of the City but within the limits of its extraterritorial jurisdiction. They shall be appointed by the chairman and members of the board of commissioners of Wake County subject to the provisions of Section 1-4002 of this code.".

Section 16. The words "chief inspector" appearing in Sections 7-4131 and 7-4132 of the Raleigh City Code are replaced with the words "Inspections Superintendent."

Section 17. Section 7-4134 of the Raleigh City Code, relating to rules and regulations, is hereby repealed and reserved for future use.

Section 18. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 19. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 20. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 21. This ordinance shall become effective five days following its adoption.

Adopted: 5/17/83

Effective: 5/22/83

REZONING Z-47-83 - WADE AVENUE - DENIED

This was a request for approval to rezone approximately 3.7 acres from Residential-10 to Residential-30 (2.7 acres) and Office and Institution-I (1 acre).

CR-1975 from the Planning Commission recommended that Z-47-83 be denied.

Mr. Edwards MOVED THE PLANNING COMMISSION'S RECOMMENDATION FOR DENIAL BE UPHELD. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

COMMITTEES, COMMISSIONS AND BOARDS

FAIR HOUSING HEARING BOARD - FRANK ROBERTS APPOINTED AS CHAIRPERSON

The City Clerk reported it is the Council's responsibility to name the Chairperson of the Fair Housing Hearing Board. Frank Roberts has been recommended by the Board and nominated by the Council to serve as Chairperson. There being no further nominations, Mr. Calloway MOVED THAT NOMINATIONS FOR CHAIRPERSON OF FAIR HOUSING HEARING BOARD BE CLOSED AND MR. ROBERTS APPOINTED BY ACCLAMATION. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CIVIL SERVICE COMMISSION - NOMINATIONS MADE

The City Clerk reported two vacancies on the Civil Service Commission due to the resignation of Allie M. Peebles and William L. Bingham. Nominations included: Management Representative - Emma Jane Muse nominated by Mr. Calloway; At-Large Representative - Jim Cressimore nominated by Mr. Jordan. Nominations have not been closed. Mr. Walters nominated Arthur J. Burke, Jr., for the at-large slot.

Mr. Upchurch indicated the Civil Service Commission has slotted seats and the Management Representative should be a person actively engaged in management of a business. He stated as he understood it, Ms. Muse is retired and he is not sure she would qualify for that position, therefore, he would request that we hold action and check into this. No further action was taken.

DOWNTOWN ADVISORY COMMITTEE - NOMINATIONS FOR CHAIRMAN MADE; AGREEMENT TO APPOINT VICE CHAIRPERSON

The City Clerk reported the total membership of the Downtown Advisory Committee has been appointed and she had attached a listing of the members to the Council memo and it would be appropriate to appoint a Chairperson of this Committee. Mayor York indicated he has studied the membership list and would suggest Bernie Reeves be appointed as Chairperson and suggest that the Council also appoint a Vice Chairperson and he would suggest Frank Anderson, Jr. Mr. Edwards moved the Mayor's recommendation be upheld which was seconded by Ms. Babb. Mr. Upchurch indicated this is fine, however, he had hoped to support Mr. Anderson as Chairman but could go with the Mayor's suggestion. Mr. Walters indicated he would have to support Mr. Anderson as Chairman as he is in town. He stated for the Council to appoint the Vice Chairman is something we have never done. After brief discussion, Mr. Edwards and Ms. Babb withdrew their motion and it was agreed to take nominations for Chairperson. Mr. Walters nominated Mr. Anderson. Mr. Edwards nominated Bernie Reeves. Discussion took place as to procedure that would be followed with Mayor York indicating the

Council would take nominations for Chairman and then they would address the question of whether to appoint a Vice Chairperson. There was no other nominations for Chairman.

Discussion took place with Mr. Walters objecting to the procedure pointing out he had contacted Mr. Anderson about being Chairman and now he comes in and finds out that the Mayor had asked Mr. Anderson to be Vice Chairman. He stated it is just embarrassing that the Council changes their rules and procedures and he does not appreciate the underhandedness that is taking place. This was discussed with Mayor York explaining he had contacted Mr. Reeves and Mr. Anderson and Mr. Anderson had stated he would be happy to be Vice Chairperson if elected by the Council. It was agreed to hold nominations for Chairman open until the next meeting.

Ms. Babb MOVED THAT THE COUNCIL ALSO APPOINT A VICE CHAIRPERSON OF THE DOWNTOWN ADVISORY COMMITTEE. Her motion was seconded by Mr. Calloway and passed unanimously. It was agreed to hold nominations for Vice Chairman until such time as the Chairman has been selected.

APPEARANCE COMMISSION - APPOINTMENTS MADE

The City Clerk reported the terms of Lidia White and J. Marshall Lancaster, Jr., expire July 3, 1983. Both have been nominated for reappointment and nominations have not been closed. There being no further nominations Mr. Upchurch MOVED THAT NOMINATIONS TO THE APPEARANCE COMMISSION BE CLOSED AND MS. WHITE AND MR. LANCASTER BE APPOINTED BY ACCLAMATION. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

DOWNTOWN HOUSING IMPROVEMENT CORPORATION - NOMINATIONS MADE

The City Clerk reported the following terms expire July 3 and all are eligible for reappointment: William D. Poe, Jr., Billy Lee Harris, Phil Harvell, Edgar W. Davis and Sonnya Quinn. Nominations include Mr. Poe, Mr. Davis and Mrs. Quinn. Nominations have not closed. Mr. Upchurch nominated Phil Harvell. No further action was taken.

HISTORIC PROPERTIES COMMISSION - NOMINATIONS MADE

The City Clerk reported the following terms expire June 30, 1983, and the persons are not eligible for reappointment: Thomas S. Erwin, Pauline Beers, Susie Perry and Sam Wyrick. The following terms also expire on June 30, 1983, and these persons are eligible for reappointment: Barbara Wishy, Mrs. Francis Winslow, Vivian Irving, Henry L. Lewis, Mrs. Thomas W. Bradshaw, Jr., John Stokes, Donald W. Barnes, G. Clarke Crampton, Calvin R. Parks, Jr., Maye E. Ligon, Dr. Charlotte V. Brown, John W. Kinney, Jr., and Fred Whitney. The City Clerk reported this constitutes 17 vacancies and 11 persons have been nominated and nominations have not been closed. Mr. Jordan nominated George Lennon and Mike Latta. Mr. Keller nominated Stanley Caton. Mr. Walters nominated Barbara Wishy. Mr. Edwards nominated G. Clarke Crampton and Donald W. Barnes. Nominations were not closed.

HOUSING AUTHORITY - NOMINATIONS MADE

The City Clerk reported the following terms expire July 6, 1983: Vernol R. Jansen and Ralph Campbell, Sr. Both have been nominated for reappointment. Mr. Keller nominated Hugh Deans and Bill Windley. No further action was taken.

HUMAN RESOURCES AND RELATIONS ADVISORY COMMITTEE - APPOINTMENT MADE

The Clerk reported the term of Roland Gammon expires July 7, 1983, and he is eligible for reappointment. Mr. Edwards indicated he had talked with Mr. Gammon and he would like to be reappointed, therefore, he would nominate him for reappointment. No further action was taken.

MAYOR'S COMMITTEE FOR SERVICES TO THE HANDICAPPED - APPOINTMENTS MADE

The Clerk reported the term of Ron Steill expires July 7, 1983. He has been nominated for reappointment by the Mayor. Mayor York has also nominated Barbara Faircloth to this Committee. The City Clerk reported this Committee does not have a set number so both of these people could be appointed if the Council so desires. Mr. Jordan MOVED THAT MR. STEILL AND MS. FAIRCLOTH BE APPOINTED BY ACCLAMATION. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TRANSIT AUTHORITY - NOMINATIONS MADE

The City Clerk reported the terms of Shelby Alford, J. Mills Holloway and Phil Harvell expire July 3, 1983. Mr. Holloway is not eligible for reappointment. Mr. Alford and Mr. Harvell have been nominated for reappointment. Nominations have not been closed. Mr. Calloway nominated Thomas Hillard. Mr. Walters nominated Hiram J. Casebolt. No further action was taken.

HOUSING APPEALS BOARD - VACANCY ANNOUNCED

The City Clerk reported one vacancy on the Housing Appeals Board due to the fact that Renee Grover has been transferred out of town. No nominations were made.

DOWNTOWN RALEIGH DEVELOPMENT CORPORATION - BOARD MEMBER CONFIRMED

The City Clerk indicated the Directors of the Downtown Raleigh Development Corporation voted to nominate Stanley Green, Jr., as the Director of their corporation to fill the unexpired term of Julia W. Taylor. The unexpired term that Mr. Green would fill, if approved by the City Council, ends June 30, 1985. It was pointed out Mr. Green is the Senior Vice President/City Executive of Mechanics and Farmers Bank and a resident of the City of Raleigh. The City Clerk indicated according to the bylaws of this corporation, the City Council has to confirm the Board Members and the recommendations are made by the Directors. Mr. Jordan MOVED THAT STANLEY GREEN, JR., BE CONFIRMED TO FILL THE UNEXPIRED TERM OF JULIA W. TAYLOR. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PRIVATE SECTOR HOUSING TASK FORCE - VACANCY ANNOUNCED

Mayor York indicated J. J. Sansom is an at-large member of the Private Sector Housing Task Force. He stated Mr. Sansom would not be able to continue to serve, therefore, one vacancy exists.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

UNSAFE BUILDING DEMOLITION - 309 SOUTH SWAIN STREET - RESOLUTION ADOPTED

Chairman Jordan reported the Law and Finance Committee RECOMMENDS ADOPTING A RESOLUTION CONFIRMING COST OF $620.00 FOR DEMOLITION OF AN UNSAFE BUILDING AT 309 SOUTH SWAIN STREET IN THE NAME OF ROBERT L. BANKS. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 232

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING UNSAFE BUILDING NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160-A of the North Carolina General Statutes, and Sections 2.14(33), 2.14(51), 2.14(46) and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 4, Article D of the Code of the City of Raleigh, relating to the abatement of unsafe building nuisance; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That the unsafe building nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code to the City of Raleigh and more specifically Part 7, Chapter 4, Article D.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to General Statutes above referred to, and makes the same a lien against the premises as provided in Part 7, Chapter 4, Article D of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	COST OF ABATEMENT
Robert L. Banks	309 South Swain Map Book 2226, Page 84	$620.00

Adopted: May 17, 1983

HOUSING STUDY - IMPLEMENTATION BY THE CITY - VARIOUS ACTIONS CONFIRMED

Chairman Jordan reported the Law and Finance Committee RECOMMENDS APPROVAL OF THE FOLLOWING COMMUNITY DEVELOPMENT PROGRAM:

(1) Federal National Mortgage Association Municipal Tri-Party Agreement

Administration is recommending that the City allow the Community Development Department to enter into a Municipal Tri-Party Agreement with the Federal National Mortgage Association. By entering into this Agreement, it will allow the Community Development Department to leverage its dollars between a local lender, Federal National Mortgage Association, and the City.

(2) New Construction:

(a) Developer/Investor

In order to effectively market vacant land owned by the City in the Community Development areas and encourage developers to build a certain quality

of units, Administration is recommending structuring a program that would make the land available to qualified developers on a second mortgage basis. The mortgage would be interest payment only for ten years at 8% interest. This, in conjunction with the Housing Incentive Program, would reduce the up-front costs to the developers and encourage new construction activities.

(b) Downtown Housing Improvement Corporation (DHIC)

Administration is recommending providing a $100,000.00 revolving construction loan for the Downtown Housing Improvement Corporation in order to facilitate the construction of new single family housing in Community Development areas. DHIC would borrow the necessary funds for a period of 120 days at 8% interest with Community Development being paid back at the permanent loan closing.

(c) Raleigh Housing Authority (RHA)

The Raleigh Housing Authority has requested that Community Development participate with them in providing funds to build up to 20 townhouse/condominium units in the South Park area. These units would be rental units with an option to purchase after a specified period of time. In order to keep initial rents as low as possible, RHA has requested the Community Development Department to provide $150,000.00 for a long term, deferred payment, no interest loan in order to write down the cost of the units. This loan would have the same term as the term for the financing of the units, and would be paid back as the units are sold. In addition, the City would lease the land to the Housing Authority for $1.00 per year with the City being paid back for the land as the units are sold. Administration recommends approval of this request.

(3) The Private Sector Housing Committee recommended to the Law and Finance Committee the proposed Community Development short range strategy programs.

(4) The Community Development Department is recommending amending the conservation areas to include the new conservation areas as outlined by the Community Development maps which include: Mordecai, Oakwood, Joe Louis Park, Battery Heights, Devereaux Meadows, and Brooklyn.

On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

PARK SYSTEM ROOF EVALUATION - CONTRACT WITH STAN CANTON AND ASSOCIATES AUTHORIZED

Chairman Jordan reported the Law and Finance Committee RECOMMENDS THAT THE CITY COUNCIL ENTER INTO A CONTRACT WITH STAN CANTON AND ASSOCIATES OF RALEIGH, NORTH CAROLINA, TO DEVELOP AN APPROACH FOR PERFORMING A SYSTEM-WIDE EVALUATION OF PARK SYSTEM ROOFS AND APPROPRIATION OF $16,800.00 TO COVER THIS CONTRACT. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 231 TF 39.

TRAFFIC - PARKING PROBLEMS ON EDENTON STREET - CHANGES AUTHORIZED

Chairman Jordan reported the Law and Finance Committee RECOMMENDS INSTALLATION OF TWO-HOUR PARKING METERS ON THE NORTH SIDE OF EDENTON STREET BETWEEN BLOODWORTH AND PERSON STREETS. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 118

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule 20D entitled "TWO HOUR METER PARKING" be amended by adding the following:

Edenton Street, north side, between Person and Bloodworth Streets

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of their conflict.

Section 3. That this ordinance shall become effective May 24, 1983.

Adopted: 5/17/83

Effective: 5/24/83

REZONING Z-59-83 - FALLS OF NEUSE ROAD - APPROVED - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee RECOMMENDS UPHOLDING THE PLANNING COMMISSION'S RECOMMENDATION AS OUTLINED IN CR-1948; THAT IS, REZONE ALL THE PROPERTY COVERED IN APPLICATION Z-59-83 TO SHOPPING CENTER DISTRICT. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller. Mr. Upchurch indicated that this is the case he spoke against before pointing out he felt that basically, the Council drew a line saying that this is as far as the nonresidential would extend pointing out there was a plan that showed there would be high density residential in this area and he feels that plan should be followed. He stated if this is approved, he feels that it will just cause other rezonings to be approved and the shopping centers will be joined on Falls of Neuse Road. Mr. Edwards indicated he, too, is familiar with the plan and this area was to be high density residential. Mr. Walters explained he felt it was a good plan but the Council has not stuck to it in the past as the Council has let the nonresidential zoning creep down Falls of Neuse Road. He indicated the Council has already set the precedent when they went against the plan the first time and since we have already deviated from the plan, in his opinion, it is no longer viable. After other discussion, the motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Edwards and Mr. Upchurch who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 116 ZC 121.

WOMAN'S CLUB DRIVE - CITY TO TAKE OVER MAINTENANCE OF ONE-HALF; REMAINING HALF REFERRED TO LAW AND FINANCE COMMITTEE

Mr. Jordan reported the Law and Finance Committee RECOMMENDS THAT THE CITY ACCEPT WOMAN'S CLUB DRIVE FROM THE CENTER OF THE STREET TO THE BACK OF THE CURB FOR THE PORTION OF THE STREET ADJACENT TO WOMAN'S CLUB PROPERTY FOR MAINTENANCE. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller. Lengthy discussion took place with Mr. Edwards pointing out he did not know of any other case where the City accepted half of a street. Mr. Jordan explained there were deficiencies in this street and the City notified all involved property owners to correct the deficiencies. He stated the Woman's Club is the only one who made the repairs explaining Koger Center hasn't made repairs. He stated since the Woman's Club corrected the deficiencies and did what the City asked, it is felt that the City should accept that half for maintenance. Chief Engineer Thomas explained this is a very complicated problem that has been going on since 1977, at which time Woman's Club started efforts to get the street accepted by the City. He indicated again that the City notified the property owners and Woman's Club made their corrections but Koger Executive Center said they had no intention of correcting the deficiencies so the City would not accept the street. He indicated he understood the property was sold with the understanding that it would be accepted and this is contrary to City policy. Discussion took place as to how this matter should be handled with Mr. Edwards suggesting that it go back to Committee and let the Committee try to get Koger to correct the deficiencies and then accept the full street. After discussion on the policy, how best to handle this problem, and efforts that have taken place to get the deficiencies corrected, the motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Edwards and Mr. Upchurch. THE MAYOR RULED THE MOTION ADOPTED.

Mr. Jordan MOVED THAT THE PROBLEMS RELATING TO THE REMAINING HALF OF WOMAN'S CLUB DRIVE, THE PORTION IN KOGER EXECUTIVE CENTER, BE REFERRED TO LAW AND FINANCE COMMITTEE. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

PUBLIC NUISANCE ABATEMENT CHARGES - 729 WEST MORGAN STREET - RESOLUTION ADOPTED

Chairman Edwards reported the Public Works Committee RECOMMENDS ADOPTION OF A RESOLUTION CONFIRMING CHARGES FOR ABATING PUBLIC NUISANCES IN THE AMOUNT OF $154.00 IN THE NAME OF ERWIN AND BURGUNDE H. WINZ AT 729 WEST MORGAN STREET. On behalf of the Committee, he moved the recommendation be upheld. The motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 233.

CAROUSEL RESTORATION - PANELS - REMOVED FROM THE AGENDA

Chairman Edwards reported the Public Works Committee RECOMMENDS REMOVAL OF THIS ITEM FROM THE AGENDA WITH NO ACTION TAKEN AS THE FINE ARTS SOCIETY HAS INDICATED THEY DO NOT DESIRE TO CONTINUE WITH THIS PROJECT. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-52-83 - WOMAN'S CLUB DRIVE - REZONED TO OFFICE AND INSTITUTION-I

Chairman Edwards reported the Committee RECOMMENDS UPHOLDING THE RECOMMENDATION OF THE CITY PLANNING COMMISSION; THAT IS, TO REZONE APPROXIMATELY 9 ACRES FROM RESIDENTIAL-10 TO OFFICE AND INSTITUTION-I. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 116 ZC 121.

MINI-TRIATHLON - UTILIZATION OF CITY STREETS - APPROVED

Chairman Edwards reported the Public Works Committee had a special session earlier in the day to consider a revised route for the Mini-Triathlon. He indicated the Police Department has worked with the sponsors and it has been agreed that the bicycle portion will follow the swimming portion and will enter the City on Avent Ferry Road, crossing Western Boulevard onto Faucette Drive, to Gorman Street, to Jackson Street, to Method Road, to Beryl Drive, to Powell Drive, across Western Boulevard to Melbourne Road, to Wickham Road, to Pineview Drive, to Avent Ferry Road and back out to Silver Lake. The run portion would also enter the City on Avent Ferry Road to the greenway off Lake Dam Road and exit to the City along Avent Ferry Road. He indicated the sponsors of the event would be expected to coordinate with the Sheriff's Department for police services along those portions of the race which are outside the City and traffic cones would have to be supplied and placed along the bridge crossing Lake Johnson to better channel racers and normal traffic. The services of 18 police officers and a supervisor will be necessary and should be provided by the sponsors. It was pointed out with these stipulations, the Police Department would have no objections to the Triathlon being conducted. Mr. Edwards MOVED AUTHORIZATION FOR THE UTILIZATION OF CITY STREETS FOR THE MINI-TRIATHLON SCHEDULED FOR JUNE 11, 1983, AS OUTLINED. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

PERRY CREEK BASIN - DEVELOPMENT OF POLICY - REFERRED TO THE PUBLIC WORKS COMMITTEE

Chairman Edwards reported the Public Works Committee in studying Subdivision S-27-83 RECOMMENDS REFERRAL OF AN ITEM TO THE PUBLIC WORKS COMMITTEE RELATING TO THE DEVELOPMENT OF A POLICY ON HOW PERRY CREEK BASIN WILL DEVELOP. He indicated the Committee is holding the subdivision item in Committee for further study. Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SUBDIVISION S-12-83 - WOODFOREST II TOWNHOUSES - REMOVED

Chairman Edwards reported the Public Works Committee RECOMMENDS THAT THIS ITEM BE REMOVED FROM THE AGENDA WITH NO ACTION TAKEN. He pointed out a rezoning has taken place on this property so the plan is no longer a valid plan. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PRIVATE DRIVE - PUBLIC RIGHT-OF-WAY - APPROVED CONDITIONALLY

Chairman Edwards reported the Public Works Committee RECOMMENDS APPROVAL OF A TEMPORARY ENCROACHMENT FOR A PRIVATE DRIVE TO BE CONSTRUCTED IN A DEDICATED RIGHT-OF-WAY. THIS APPROVAL WOULD BE SUBJECT TO DETAILS RELATING TO INSURANCE AND MAINTENANCE BEING WORKED OUT BY ADMINISTRATION. THE DRIVEWAY WOULD BE WITHIN A 60 FOOT WIDE RIGHT-OF-WAY EXTENDING BETWEEN LITCHFORD ROAD AND WAKE FOREST ROAD.

On behalf of the Committee, Mr. Edwards moved the recommendation as outlined be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE MUNICIPAL BUILDING COMMITTEE

MUNICIPAL BUILDING - CHANGE ORDER E-4 AND G-3 - APPROVED - FUNDS APPROPRIATED

Chairman Edwards reported the Municipal Building Committee met on Tuesday, May 10 and approved two change orders as follows:

> Change Order E-4 - Electrical Contract - Bolton Corporation - addition of $12,954.00
>
> Change Order G-3 - Mid-South Construction Company - Credit of $9,195.00

The Agenda outlined the reasons for the change orders and the budget accounts that would be amended. Mr. Edwards indicated these two change orders came about because of relocation in the open space concept. On behalf of the Committee, Mr. Edwards MOVED THE TWO CHANGE ORDERS AND TRANSFERS AS OUTLINED BE APPROVED. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 231 TF 39.

REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

REZONING Z-75-82 - LEESVILLE ROAD - DENIED

Chairman Calloway reported the Comprehensive Planning Committee RECOMMENDS THAT REZONING APPLICATION Z-75-82 BE DENIED. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-12-83 - CREEDMOOR ROAD - DENIED WITHOUT PREJUDICE

Chairman Calloway reported the Comprehensive Planning Committee RECOMMENDS THAT THE PLANNING COMMISSION'S RECOMMENDATION (CR-1830) TO DENY THIS APPLICATION WITHOUT

PREJUDICE BE UPHELD. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-54-83 - CREEDMOOR ROAD - APPROVED AS AMENDED; PLANNING STAFF TO BRING GUIDELINES TO COUNCIL RELATING TO CREEDMOOR ROAD DEVELOPMENT

Chairman Calloway reported the Comprehensive Planning Committee RECOMMENDS THAT THE PROPERTY COVERED BY REZONING APPLICATION Z-54-83 BE REZONED TO OFFICE AND INSTITUTION-II WITH A 10 FOOT CONSERVATION/BUFFER ZONING ALONG THE EASTERN PROPERTY LINE. THE COMMITTEE FURTHER RECOMMENDS THAT WHEN SITE PLAN APPROVAL IS CONSIDERED ON THIS PROPERTY, THAT STRONG CONSIDERATION BE GIVEN TO REQUIRE LANDSCAPING AND/OR VEGETATION ALONG THIS BUFFER. THE COMMITTEE FURTHER RECOMMENDS THAT THE PLANNING STAFF BE DIRECTED TO BRING SOME GUIDELINES TO THE COUNCIL AS TO HOW TO HANDLE THIS SECTION OF CREEDMOOR ROAD DEVELOPMENT PARTICULARLY AS IT RELATES TO THE RESIDENTIAL FRONTAGE LOTS TO THE NORTH OF THIS PROPERTY.

Mr. Edwards indicated CP-1-81 did show that there would be some nonresidential in this area. He pointed out there is a long strip along Creedmoor Road and he feels that we should express an intent that this would be the end of nonresidential zoning. He questioned if the Committee WOULD ACCEPT AN AMENDMENT TO THEIR MOTION TO INCLUDE A 5 FOOT CONSERVATION/BUFFER ALONG THE NORTH SIDE OF THE PROPERTY TO SIGNIFY THAT IT WOULD BE THE END OF NONRESIDENTIAL ZONING IN THIS AREA. Mr. Calloway and Ms. Babb accepted this amendment. Discussion took place with Mr. Keller indicating this case bothers him. He stated he did not feel that he could support the motion to rezone the property but he could support the second part of the motion to request a study. He indicated it looked as if the Council would go ahead with the study and then act on the rezoning. He indicated as far as the 5 foot Conservation/Buffer to signify the end of nonresidential, that the easiest place to stop would be the road. It was pointed out that these residential frontage lots on Creedmoor Road are not a part of Hidden Valley Proper. The fact that the original request was for O&I-I and the Comprehensive Planning Committee is recommending O&I-II which would give site plan approval and an opportunity to require landscaping and/or vegetation along this buffer was discussed at length. The motion as stated was put to a vote and passed with all members voting in the affirmative except Mr. Keller who voted in the negative.

SC-192 - EXXON AT CREEDMOOR CROSSINGS SIGNS - DENIED

Chairman Calloway reported the Comprehensive Planning Committee RECOMMENDS THAT THE PLANNING COMMISSION'S RECOMMENDATION (CR-1909) BE UPHELD; THAT IS, THAT THIS REQUEST BE DENIED. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb.

Mr. Walters indicated he has a lot of problems with this pointing out he has fought hard in the past to uphold our Sign Ordinance. He stated, however, the Council has varied the Sign Ordinance in two cases relating to signs and in this particular case, it is an Exxon sign and they have their logos all over the City in other areas. He stated the developer of the shopping center has no problems and he has no objection to the City varying the ordinance and letting Exxon display their world-wide national colors. Lengthy discussion took place as to whether the Sign Ordinance has been varied in the past as it relates to colors and logos, instances that various Council Members felt we had varied and other instances in which the City had not varied the ordinance as it relates to unity and color, the possibility that maybe the Sign Ordinance is too restrictive as it relates to colors in shopping centers, the possibility of varying for national logos, and the possibility of grandfathering in national logos. How other service stations have bypassed the shopping center unity requirement was also discussed.

Mr. Edwards indicated it was recently reported in the newspaper that his company was made aware of the color situation. He pointed out his company had nothing to do with the colors. He indicated this particular lot is a part of the subdivision and he believed that Exxon purchased the lot after the subdivision was approved. After lengthy discussion, the motion as stated was put to a vote and passed with all members voting in the affirmative except Mr. Walters who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-56-83 - CREEDMOOR ROAD - REZONED TO RESIDENTIAL-10

Chairman Calloway reported the Comprehensive Planning Committee RECOMMENDS THAT PROPERTY COVERED BY REZONING APPLICATION Z-56-83 BE REZONED FROM RESIDENTIAL-4 TO RESIDENTIAL-10. Mayor York indicated he had already requested that he be excused from participation in this matter. Without objection, the Mayor was excused. Brief discussion took place about the exact location of this property as it relates to the property covered in Rezoning Application Z-12-83 after which the motion as stated was put to a vote which resulted in all members voting in the affirmative except Mayor York who was excused. MAYOR YORK RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 116 ZC 121

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Woman's Club Drive, east side, at its intersection with National Drive, being a portion of Parcel 40, Tax Map 434, approximately 9 acres rezoned to Office and Institution-I District, according to map on file in the City of Raleigh PLANNING DEPARTMENT. (Z-52-83)

(b) Creedmoor Road, east side, at its northern intersection with Lynn Road, being Parcel 132, Tax Map 350, rezoned to Office and Institution-II District with a 10 foot Conservation/Buffer along the eastern edge of the property and a 5 foot Conservation/Buffer along the north side of the property, according to map on file in the City of Raleigh Planning Department. (Z-54-83)

(c) Area located between Leesville Road and Ray Road on the east side of Lake Lynn, being a portion of Parcel 31, Tax Map 322, approximately 21.66 acres rezoned to Residential-10 District, according to map on file in the City of Raleigh Planning Department. (Z-55-83)

(d) Creedmoor Road, east side, at its northern intersection with proposed Sawmill Road Extension, being Parcel 359 and a portion of Parcel 3, Tax Map 323, approximately 22 acres rezoned to Residential-10 District, according to map on file in the City of Raleigh Planning Department. (Z-56-83)

(e) Fall of Neuse Road, west side, between Spring Forest Road and Sandy Forks Road, being Parcels 18 and 37, Tax Map 352, approximately 4.8 acres rezoned to Shopping Center District. (Z-59-83)

(f) U.S. Highway 1, beginning approximately 700 feet east of the right-of-way, at intersection with Old Wake Forest Road Extension, being Parcel 78, Tax Map 354, approximately 60.35 acres rezoned to Residential-10 District. (Z-60-83)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective on the date of adoption, May 17, 1983.

Adopted: 5/17/83

REPORT AND RECOMMENDATION OF THE DOWNTOWN COMMITTEE

CITY ARTS GALLERY PROPOSAL - REFERRED TO THE ARTS COMMISSION

Mayor York indicated the Downtown Committee RECOMMENDS THAT ALL OF THE PROPOSALS RELATING TO THE CITY ARTS GALLERY BE REFERRED TO THE ARTS COMMISSION FOR STUDY AND RECOMMENDATION BACK TO THE COUNCIL. Mr. Edwards moved the recommendation be upheld which was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TRANSIT TRANSFER POINT - ADMINISTRATION AUTHORIZED TO BEGIN SELECTION PROCESS FOR ENGINEER

Mayor York indicated the Downtown Committee understands it will be about 60 days until the City receives information from UMTA on our application, therefore, the Downtown Committee RECOMMENDS THAT ADMINISTRATION BE AUTHORIZED TO BEGIN THE SELECTION PROCESS FOR AN ENGINEER ON THE TRANSIT TRANSFER FACILITY. Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

COMMUNITY DEVELOPMENT - FAIR MARKET ACQUISITION VALUES - APPROVED

Chairman Walters reported the Real Estate Committee RECOMMENDS APPROVAL OF THE FOLLOWING FAIR MARKET ACQUISITION VALUES BASED ON TWO ACQUISITION APPRAISAL REPORTS AND A REVIEW APPRAISAL REPORT:

110 South Haywood Street B0006-0027	$10,000.00
111 South Haywood Street B0007-0018	$10,300.00
112 South Haywood Street B0006-0023	$ 9,100.00
113 South Haywood Street B0007-0020	$ 9,900.00

114 South Haywood Street B0006-0026	$ 9,900.00
115 South Haywood Street B0007-0020	$ 9,000.00
117 South Haywood Street B0007-0021	$ 9,200.00
118 South Haywood Street B0006-0024	$10,000.00
119 South Haywood Street B0007-0022	$11,500.00
619-619½ East Hargett Street B0006-0028	$20,600.00
627-627½ East Hargett Street B0007-0017 & 0018	$16,500.00
550 East Martin Street B0003-0030	$25,300.00

On behalf of the Committee, Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE
PARKS AND RECREATION ADVISORY BOARD

CAROLINA PINES/CARALEIGH AREA - POSSIBILITY OF PARK - REFERRED TO THE REAL ESTATE COMMITTEE

At the request of the Real Estate Committee, the Parks Board continued to study the acquisition of a small piece of park land in the Caraleigh area. This involved research, available land and several field trips by Board members to the area.

At the Park Board Meeting of April 27, 1983, the Board made the unanimous recommendation that the property described below be acquired for park purposes - End of Ileagnes Road and Peach Road and covers approximately 9.58 acres.

As a point of personal privilege, former Council Person Block was allowed to speak. Mrs. Block indicated this is the Carolina Pines area and this piece of property has been considered by the Comprehensive Planning Committee of the Southeast District. She stated this is one of the recommendations that will be forthcoming to the Council. She indicated this is a very good piece of property as it is very level and an ideal place for a playground. She stated she understood the State owns this property. Mr. Keller indicated the Parks Board feels very strongly on the need for a park in this area pointing out it is cut off by roads, etc. He indicated this is an ideal site, it has been graded and he would like to see the Real Estate Committee consider it favorably. Mr. Keller MOVED THAT THE PROPOSAL FOR THE PARK IN THE CAROLINA PINES/CARALEIGH AREA BE REFERRED TO THE REAL ESTATE COMMITTEE. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE INTERGOVERNMENTAL COMMITTEE

ETJ BOUNDARY - EXTENSION - RESOLUTION ADOPTED

The Committee recommends the adoption of a resolution extending the City's ETJ boundary to include the 275 acre tract in the U.S. 1 North area. If adopted by Council, the resolution should be forwarded to Wake County for joint adoption. (A map of this territory will be available at the meeting.)

Assistant City Manager Benton explained the boundaries of this area and the process that would be followed. Mr. Upchurch MOVED ADOPTION OF A RESOLUTION EXTENDING THE CITY'S ETJ BOUNDARY TO INCLUDE THIS 275 ACRE TRACT WITH THE UNDERSTANDING IT WOULD BE FORWARDED TO WAKE COUNTY. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 234

A RESOLUTION TO AMEND THE EXTRATERRITORIAL JURISDICTION AGREEMENT BETWEEN THE CITY OF RALEIGH AND WAKE COUNTY

WHEREAS, NCGS 160A-360(g) provides that extraterritorial jurisdiction agreements between local governments may be modified from time to time by mutual consent of the legislative bodies concerned;

WHEREAS, the City of Raleigh and the County of Wake have agreed that their respective jurisdictions for planning and regulation of development purposes should be altered;

WHEREAS, the boundaries of the area in which the City of Raleigh exercises extraterritorial jurisdiction with respect to matters dealt with in Article 19 of Chapter 160A, North Carolina General Statutes, as the same now and may hereafter read and be constituted and numbered, are hereby established and defined as being the City's corporate boundaries as now established and hereafter modified and also being a line, approval of which was originally requested by the Raleigh City Council on June 19, 1972, and initially granted by the Wake County Board of Commissioners on February 5, 1973, and being shown on a map entitled "Extraterritorial Jurisdiction, City of Raleigh, North Carolina" and dated March 12, 1981, as amended.

WHEREAS, the Raleigh City Council finds that the expansion of the jurisdictional area as herein described will allow the City the opportunity to regulate development to assure eventual efficient delivery of City services to this area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the extraterritorial jurisdiction agreement, dated February 5, 1973, as amended, between the City Council of the City of Raleigh and the Wake County Board of Commissioners be modified to add a 275 acre tract north of Perry Creek Road (SR 2006) as shown on the attached map which is hereby incorporated into this resolution and metes and bounds drawn as follows:

> Beginning at a point in the centerline of Perry Creek Road, said point also being in the existing ETJ boundary, runs thence along the northern boundary of the Capital Area Soccer League, Inc., property in an easterly direction for 2400 feet plus or minus to a point; thence North 17 degrees West 4140 feet plus or minus to a point in the centerline of SR 2043; thence westerly with the centerline of SR 2043, 2180 feet plus or minus to a point on the western property line of the A. J. Honeycutt, Sr., heirs; thence along the western boundary of the property of the heirs of A. J. Honeycutt, Sr., in a southerly direction until reaching a point in the centerline of Perry Creek Road at the eastern edge of the right-of-way on Highway U.S. 1 North, said point also being in the existing ETJ.

Section 2. That this resolution shall become effective immediately following its adoption by both governing bodies.

Adopted by City: 5/17/83

Adopted by County:

BOXING COMMISSION - ENABLING LEGISLATION - REFERRED TO WAKE COUNTY COMMISSIONERS

Chairman Upchurch reported the Intergovernmental Committee RECOMMENDS THAT THIS ITEM BE REFERRED TO THE WAKE COUNTY COMMISSIONER FOR APPROPRIATE ACTION. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION FROM THE HUMAN RESOURCES AND RELATIONS ADVISORY COMMITTEE

HUMAN RESOURCES AND RELATIONS ADVISORY COMMITTEE - FY 82/83 ANNUAL REPORT - RECEIVED

Peter V. Andrews, Chairman of the Human Resources and Relations Advisory Committee for the period May, 1982 through May, 1983, presented the annual report of that Committee. He explained work the HRRAC has done in the past year including programs they have supported relating to Special Populations, Civil Rights, Fair Housing, inner City schools, changes in Temporary Shelter Ordinance, etc. He gave information on the nominations that Committee has made on the N.C. Human Relations Award and indicated they have reviewed and endorsed the Human Resources Department budget request pointing out they believe that each program is effective and efficiently administered. He indicated they also support the Recycling Coordination Program. He explained at the annual May Meeting, the Committee elected Roland Gammon as the new Chairman and Paul Thompson as the new Vice Chairman. He stated Mr. Gammon would like to address the City Council next month to discuss goals and objectives for the coming year. Mr. Andrews expressed appreciation to all of those members of the Committee, the City Council and City staff for the efficient way they have helped in making it a successful year for HRRAC.

ANNOUNCEMENT

DOWNTOWN RENOVATION FOR LAW OFFICES - ANNOUNCED

Mayor York introduced Arch Allen and Tom Steed indicating today, they have announced the planned renovation of a downtown office building located at the northwest corner of South McDowell and West Morgan Streets. He indicated this is a three story building containing approximately 20,000 square feet. Mayor York presented a rendering of the proposed complete renovation of the building. He indicated the building's owners expressed confidence in the future of downtown pointing out the City's planned Municipal Complex, including the new Municipal Building now under construction and a planned parking deck across from the building, encouraged the renovation plans. It

was pointed out the principal tenant for the renovated building would be the law firm of Moore, Van Allen and Allen, one of the State's largest law firms. Mayor York indicated he was very happy to participate in this announcement pointing out this is the type of project that continues the momentum in downtown redevelopment. Mr. Allen expressed appreciation to the City Council and to Dave Betts for the cooperation Mr. Betts extended in explaining the City's downtown redevelopment efforts.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

BUDGET - PROPOSAL FOR 83/84 - PRESENTED; REVIEW SESSIONS AND EMPLOYEE EVALUATION SESSIONS - SCHEDULED

City Manager Zachary presented the proposed 1983/84 City of Raleigh Budget. He read the budget message in full. Mayor York commended the Manager indicating it looks as if the City is in very good shape as it relates to infrastructure. He pointed out the City Manager has been involved in this process for the past ten years.

Mayor York indicated he would like to suggest the following dates for work on the budget:

May 17 - 26		Individual study and review assigned budget sections.
May 26	4 to 6 P.M.	Budget Review Session.
May 31	4 to 6 P.M.	Employee Evaluation Session - Manager, Attorney and Clerk.
June 7	Council Mtg.	Budget Hearing.
June 9	2 to 4 P.M.	Budget Review Session.
June 14	4 to 6 P.M.	Budget Review Session.
June 21	Council Mtg.	Adopt Budget.

Mayor York indicated the individual assignments would be the same as they were last year on both the operating and the Capital Budget. Without discussion, Ms. Babb MOVED THAT THE MAYOR'S SUGGESTION FOR BUDGET REVIEW SESSIONS AND EMPLOYEE EVALUATION SESSIONS BE UPHELD. Her motion was seconded by Mr. Edwards and put to a vote which passed unanimously., THE MAYOR RULED THE MOTION ADOPTED.

It was also agreed that the Capital Budget would be considered at the first Budget Work Session (May 26).

HOLIDAY SCHEDULE - 83/84 - APPROVED

At this time of year, a recommended holiday schedule is submitted to the City Council. Generally, the holiday schedules of the State of North Carolina and Wake County are closely followed. The recommended schedule below continues along those lines:

Holiday	Date Observed	Day
Independence Day	July 4, 1983	Monday
Labor Day	September 5, 1983	Monday
Veterans' Day	November 11, 1983	Friday
Thanksgiving	November 24, 1983	Thursday
	November 25, 1983	Friday
Christmas	*December 23, 1983	Friday
	*December 26, 1983	Monday
New Year's Day	*January 2, 1984	Monday
Easter	April 23, 1984	Monday
Memorial Day	May 28, 1984	Monday

*Employees working regularly scheduled rotating shifts will observe the following actual holidays for purposes of premium pay eligibility for holiday work performed:

Holiday	Date Observed	Day
Christmas	December 24, 1983	Saturday
	December 25, 1983	Sunday
New Year's Day	January 1, 1984	Sunday

RECOMMENDATION: This item is normally referred to a committee but could be approved as recommended if Council desires.

Mr. Jordan MOVED THAT THE PROPOSED HOLIDAY SCHEDULE AS SUBMITTED AND OUTLINED ON THE AGENDA BE UPHELD. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

COUNCIL DISTRICT CHANGE - APPROVED

On May 9, the Wake County Board of Elections notified the Planning Department that North Hills Shopping Center had been added to Precinct 36 so that the shopping center could be used as that precinct's polling place.

This change creates a Precinct 36 which is split by the boundary between Council Districts A and E.

RECOMMENDATION: It is recommended that Council change the District boundary to reflect the precinct change in keeping with the City policy to have the District boundaries follow precinct lines. The new District boundary would follow Lassiter Mill Road north from the Beltline (existing boundary) to Six Forks Road, then south on Six Forks Road to the Beltline and will be illustrated on a map at the Council Meeting.

Mr. Jordan MOVED APPROVAL OF THE DISTRICT CHANGE AS OUTLINED. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RAILROAD AGREEMENT - ATLANTIC AVENUE - MAYOR AUTHORIZED TO SIGN

We have received the signed railroad agreement for the Mayor's signature for the extension of Atlantic Avenue from Wake Forest Road (at Downtown Blvd.) to Wicker Street. This agreement includes an estimated cost of $18,565.00 to cover railroad expenses during the construction of the bridge over the railroad back of the Cablevision of Raleigh offices.

RECOMMENDATION: Approval is recommended and authorization for the Mayor to sign is requested.

Mr. Upchurch MOVED THE RECOMMENDATION AS OUTLINED BE UPHELD. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 245

A RESOLUTION DIRECTING THE MAYOR OF THE CITY OF RALEIGH TO SIGN RAILROAD AGREEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Mayor of the City of Raleigh be and is hereby authorized to execute the railroad agreement between the City of Raleigh and Carolina and Northwestern Railway Company for the Atlantic Avenue Extension Project.

Section 2. That this resolution shall become effective upon its adoption.

Adopted: 5/17/83

WATER AND SEWER SERVICE CHARGES - NEW CHARGES APPROVED

Each year, an analysis is made of the actual costs for the installation of water and sewer services by City forces. The report for this year does provide the cost analysis that includes direct and indirect costs. A copy of the analysis is included in the Councillors' Agenda packet.

RECOMMENDATION: It is recommended that the proposed fee schedule be adopted as an amendment to Section 7-4081(b) of the City Code.

Mr. Edwards MOVED ADOPTION OF THE AMENDMENT TO SECTION 7-4081(b) AS SUBMITTED. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 119

AN ORDINANCE TO AMEND SECTION 7-4081(b) OF THE CODE OF THE CITY OF RALEIGH ENTITLED "FEES FOR THE INSTALLATION OF WATER AND SEWER SERVICES BY CITY FORCES"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 7-4081(b) entitled "Fees for the Installation of Water and Sewer Services by City Forces" be amended and made to read as follows:

Size and Type of Service	Inside/Outside City	
	Dirt	Paved
Combination 3/4" Water and 4" Sewer Service	$ 357.00 688.00	$ 430.50 761.50
TOTAL	$1,045.00	$1,192.00
Combination 1" Water and 4" Sewer Service	$ 409.00 688.00	$ 482.50 761.50
TOTAL	$1,097.00	$1,244.00
3/4" Water Service Only	$ 640.00	$ 787.00
3/4" Split Water Service (existing service)	$ 320.00	$ 320.00
3/4" Split Water Service (new application)	$ 187.00	$ 187.00
1" Water Service Only	$ 908.00	$1,055.00
4" Sewer Service Only	$1,132.00	$1,279.00
Sidewalk Cut	None	$ 70.00

These fees apply to service installed by City forces for vacant lots. Fees for water service over one (1) inch and sewer services over four (4) inches shall be determined individually by the Director of Public Utilities after submission of a plot plan showing service location and size.

The fee for a 3/4 inch split service is in addition to the fee for the water service or existing water stub.

Section 2. That all laws and portions of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective July 1, 1983.

Adopted: 5/17/83

Effective: 7/1/83

FALLS RESERVOIR - PROPOSED TREATMENT OF MOSQUITOES - APPROVED AS OUTLINED

We have received a letter dated April 14, 1983, from Joseph S. J. Tanner, Resource Manager, Falls Reservoir, establishing the proposed use of bactimos (bacillus thuringiensis berliner var. israelensie).

We requested by letter a position statement of the North Carolina Department of Human Resources regarding the proposed use of this bacteria for mosquito control. We have received their response stating that, under their observation, this larvicide has been approved by the U.S. EPA for use in water supply reservoirs provided the label instructions are followed, and that the bacteria has no known toxicity to mammals.

RECOMMENDATION: It is recommended that the City Council consent to this application of the bacterial larvicide in the Falls Reservoir for mosquito control, as needed, provided that the label directions of that material are followed.

Mr. Edwards MOVED THE RECOMMENDATION AS OUTLINED BE UPHELD. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

CAPITAL FUND ITEMS - NEUSE RIVER RAW WATER PUMP STATION AND E.M. JOHNSON PLANT EXPANSION - FUNDS APPROPRIATED

The Agenda presented a Capital Fund item in the amount of $12,490.00 relating to the Neuse River Raw Water Pump Station to provide funds for CP&L to install temporary substation during construction. The Agenda presented a second Capital Fund item in the amount $195,000.00 relating to E.M. Johnson Plant expansion to provide for design, purchase and installation of second belt filter press. It was pointed out a

copy of a memorandum from the Public Utilities Director and a letter from the engineer was included in the Council Members' Agenda packet relating to the plant expansion. Mr. Calloway MOVED APPROVAL OF THE CAPITAL FUND ITEMS AS PRESENTED. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 231 TF 39.

SANDERFORD ROAD PARK - GRANT APPLICATION - AUTHORIZED FOR FILING

City Manager Zachary indicated the City had an opportunity to file a grant application for LWCF funding for Phase IV of development of Sanderford Road Park. He indicated this application is for $50,000.00 to go with the other $150,000.00 that has been allocated for Sanderford Road Park. He indicated there was a preapplication deadline of Friday, May 13, and the City availed itself of this opportunity with the understanding that the City would have an opportunity to withdraw or confirm the application. Mr. Calloway MOVED AUTHORIZATION FOR THE CITY TO FILE FOR THE GRANT APPLICATION FOR DEVELOPMENT OF SANDERFORD ROAD PARK. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

MUNICIPAL AGREEMENT/TRAFFIC SIGNAL COMMUNICATIONS SYSTEM - APPROVED

The Department of Transportation recommends that the City Council approve and authorize the Mayor to sign a Municipal Agreement with NCDOT. The agreement would require the City to pay 33.8% of the cost of a State Consulting Engineering Services Contract to provide final construction plans for a State/City-Owned Traffic Signal Communications System. A memorandum from the Transportation Director giving more complete information will be included with the Council Members' Agenda packet.

RECOMMENDATION: Approval of the contract and a transfer of $13,190.00 is recommended.

Mr. Jordan MOVED THAT THE MAYOR BE AUTHORIZED TO SIGN THE CONTRACT AS OUTLINED AND APPROVAL OF THE TRANSFER OF $13,190.00. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 231 TF 39.

RESOLUTION NO. (1983) 236

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF RALEIGH, NORTH CAROLINA

A motion was made by Councilman Jordan and seconded by Councilman Calloway for the adoption of the following resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation and the City of Raleigh propose to make certain street and highway improvements consisting of the replacement of leased line communication cable with user owned communication cable for the Municipality's Computerized Signal System.

WHEREAS, the Department of Transportation and the City of Raleigh propose to enter into an agreement for construction of the aforementioned signal system whereby the Department agrees to engage a consultant engineer to design the project plans with the City of Raleigh to reimburse the Department to a maximum extent of 33.8% of this cost.

NOW, THEREFORE, BE IT RESOLVED that Project 8.1400201, Wake County, is hereby formally approved by the City Council of the City of Raleigh and that the Mayor and City Clerk of the City of Raleigh are hereby empowered to sign and execute the required agreement between the City of Raleigh and the Department of Transportation.

I, Gail G. Smith, Clerk of the Municipality of Raleigh, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 17th day of May, 1983.

WITNESS, my hand and the official seal of said Municipality on the 18th day of May, 1983.

(SEAL)

_____
CLERK
MUNICIPALITY OF RALEIGH
NORTH CAROLINA

ADDENDUM

GREENWAY COMMISSION - REPORT - VARIOUS ACTIONS TAKEN

Phillip Hinton, Chairman of the Greenway Commission indicated during the last Greenway Commission Meeting, there were three items that came up that the Greenway Commission would like to make a report to Council. He indicated the first item relates to the Lassiter Mill property. He indicated the Lassiter Mill property has always been

on the greenway system and the Greenway Commission feels it is absolutely vital for the City to gain control of the Lassiter Mill property. He indicated the Commission would encourage the City to look favorably at purchasing the two lots of the Lassiter Mill property. Brief discussion took place as to the exact status of the Lassiter Mill Subdivision Plan with Mr. Edwards indicating he understands that there are more than two lots involved. After brief discussion by general consensus, it was AGREED WHEN THE SUBDIVISION IS ACTUALLY SUBMITTED TO THE CITY THAT IT BE REFERRED TO THE REAL ESTATE COMMITTEE AT THE APPROPRIATE TIME.

Mr. Hinton indicated as the Council is aware, the City received a $30,000.00 matching grant from Wake County relating to acquisition of greenway along Honeycutt Creek. He indicated this is in the area between West Millbrook Road and Falls Lake. Mr. Hinton indicated evidently, there has been a lot of discontentment in the area relating to subdivision approvals and the Greenway Commission is coming under suspicion of running a front for sewer easement acquisition. He indicated he just wanted to make the Council aware of this as it appears they may have difficulty in purchasing the property.

Mr. Hinton indicated the other item discussed by the Greenway Commission related to the need for several crossings over Crabtree Creek. He indicated the State has several abandoned truss bridges that are scheduled for replacement. He indicated the idea has come about to secure these bridges for utilization of crossing Crabtree Creek on the greenway trails. He indicated before they go any further with this idea, they would like to make sure that the City Council is willing to accept the bridges and the State is willing to let the City secure the bridges. He indicated he would request the City Council, and pointed out this would be a nonbinding approval, to request that three of the bridges be committed to the City for use in crossing Crabtree Creek. He indicated it appears that these are small historic truss bridges and the Greenway Commission would have to spend the money for the moving, dismantling, etc. He indicated they would like to have the feelings of the City Council as well as the State before they go any further into looking into the details of how this could be handled. Mr. Edwards questioned how much money we are talking about with Mr. Hinton indicating he did not know, however, he feels it would be in the range of $20,000.00 to $30,000.00 for cleaning, dismantling, reassembling, etc. Mr. Upchurch questioned if the bridges would be utilized for vehicular traffic with Mr. Hinton indicating maintenance vehicles would be allowed, if needed, but it was mainly for pedestrian crossings. Discussion took place with it being pointed out that the Greenway Commission has not gone into great detail in studying how to secure these bridges and what would have to be done as they felt they should get concurrence from the City and the State before going any further. He indicated what they would like to see done, if possible, is the City Council to request a letter of intent from the State DOT on these bridges. Brief discussion took place after which Mr. Upchurch MOVED THAT THE REQUEST OF THE GREENWAY COMMISSION RELATING TO STATE DOT BRIDGES BE REFERRED TO THE TECHNICAL ADVISORY COMMITTEE AND THAT COMMITTEE COULD TALK DIRECTLY WITH THE STATE ON THE MATTER. His motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

Mr. Hinton indicated the dedication for the Gardner Street Greenway is scheduled for Sunday, May 22 at 4:00 p.m. and invited Council Members to attend.

CP&L EASEMENT - BILTMORE HILLS PARK PROPERTY - APPROVED

This is an easement request from CP&L to provide for electrical service from an existing transformer serving Biltmore Hills Center to provide electric service to the new pool in Biltmore Hills Park. City Manager Zachary indicated Administration feels the easement is reasonable and recommends approval. Mr. Edwards MOVED THAT THE CITY GRANT THE EASEMENT TO CP&L IN BILTMORE HILLS PARK AS REQUESTED AND OUTLINED. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CITY RECYCLING PROGRAM - INFORMATION RECEIVED

As a matter of information, City Manager Zachary reported funds have been donated to begin the Recycling Program of the City of Raleigh. He stated these funds will be handled through the Pilot Club and the person will be housed and supervised by the Citizen Involvement Division Head. The program is funded by gratuities from a number of sources including the Josephus Daniels Foundation and a local church. He indicated he just brought this to the Council's attention and they will be seeing information on it in the budget and it had been mentioned in recent reports. The item was received as information.

PW 1982-1 - STREET CONSTRUCTION CONTRACT - C. C. MANGUM, INC. - CHANGE ORDER AUTHORIZED

Change Order No. 1 relating to PW 1982-1 was presented. It is an addition of $48,700.00 and is needed for the storm sewer repair at Myron Drive and Lake Boone Trail. The Addendum listed the budget accounts that would need to be amended if the change order is approved. Mr. Walters MOVED THAT CHANGE ORDER 1 - PW 1982-1 IN THE AMOUNT OF $48,700.00 BE APPROVED AND THE APPROPRIATE TRANSFER AUTHORIZED. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 231 TF 39.

BID REQUEST 82-60 - AERIAL TREE TRUCK - BID AWARDED TO USI EQUIPMENT CORPORATION

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on April 21, 1983, for an aerial tree truck with results as follows: USI Equipment Corporation - $59,969.00; Baker Equipment Engineering Company - $60,885.00. Mr. Edwards MOVED THE LOW BID SUBMITTED BY USI EQUIPMENT CORPORATION BE AWARDED. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

BIDS - PULLEN PARK PEDAL BOAT CONCESSION - AWARDED TO RAYMOND J. TALACEK

Pursuant to advertisement as required by law, bids were received and publicly opened on May 9, 1983, in the office of the Purchasing Agent for a contract for the pedal boat concession at Pullen Park. Only one bid was received and it was for a contract period of May 28, 1983 through May 27, 1988. The bid was received from Raymond J. Talacek who offered 10 percent of gross receipts plus $1,000.00 rent per year. Mr. Edwards MOVED THAT THE CONTRACT FOR THE PEDAL BOAT CONCESSION AT PULLEN PARK BE AWARDED TO RAYMOND J. TALECEK AND THAT THE MAYOR BE AUTHORIZED TO SIGN THE CONTRACT. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

SWIMMING POOLS - RIDGE ROAD AND BILTMORE HILLS - CHANGE ORDER APPROVED

City Manager Zachary indicated that during the meeting, a change order relating to the Ridge Road and Biltmore Hills Swimming Pools has been handed to him. He indicated this change order is an addition of $3,220.00 and relates to the need to upgrade the existing transformer which is a dead end and replace it with a loop feed. Brief discussion took place after which Mr. Calloway MOVED THAT THE CHANGE ORDER AND TRANSFER OF FUNDS AS EXPLAINED BE AUTHORIZED. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

CABLEVISION - SCHEDULE ADOPTED

City Attorney McCormick indicated he had sent Council Members a memo and had attached the cable consultant's report. He indicated the Council should take a little time and read and study the report and they could continue along the schedule for adoption of a Franchise Ordinance on June 7 and 21. Mayor York indicated he feels it would be good if we could have a special Council Meeting at 12:00 noon on May 24 between the two Committee meetings to discuss cablevision. He indicated in the interim, the City Attorney could begin preparing an ordinance based on the consultant's recommendations. He stated that this would not be any confirmation of the executive summary of the consultant's report; it would just save time. He read briefly from the executive summary. He stated he feels that the Council could have a meeting on the 24th, discuss the reports and cablevision and hopefully, the City Attorney could get a draft ordinance to the Council prior to the June 7 meeting, maybe no later than May 31. Ms. Babb questioned if at the May 24 meeting, the Council comes to the conclusion as to which company to award the contract to that there would need to be time for negotiation, etc. Mayor York indicated the City Attorney would continue working on a draft of the Franchise Ordinance and that could be ready by May 31 and then there would be one week prior to the June 7 meeting at which time a Franchise Ordinance could be passed on the first reading. Ms. Babb indicated she feels that after a decision has been made to award a contract to Company X, then there should be a period of time to develop the contract between the City and the company and the Franchise Ordinance would be based on that contract. City Attorney McCormick indicated there would be two ordinances under consideration; one ordinance would set out the minimum standards, etc., and the second would be a Franchise Ordinance. He pointed out the Charter requires the City to grant franchises in the form of an ordinance. He stated the actual franchising document will be a short document that would incorporate the Minimum Standards Ordinance and other information. Ms. Babb indicated that her only concern is that we are making the assumption that everything will be exactly as the Council wants it. She indicated the Council may make the decision that Company X would get the franchise but she feels that there may be some things that the Council would want to go over, get clarified or spelled out. She questioned how this would be handled. City Attorney McCormick indicated it is true that we want to have the franchise and the contract exactly like the City wants it then it will be presented to the company but we cannot control what they will do. He indicated there will probably be some differences. He feels that could be worked out.

THE COUNCIL RECESSED BETWEEN 4:15 AND 4:30 P.M. AS A BOMB THREAT WAS RECEIVED IN THE MUNICIPAL BUILDING.

Mr. Upchurch MOVED THAT THE CITY COUNCIL FOLLOW THE SCHEDULE AS OUTLINED BY THE MAYOR (HAVE A SPECIAL COUNCIL MEETING ON MAY 24, DIRECT THE CITY ATTORNEY TO PROCEED DRAFTING A FRANCHISE ORDINANCE AND CONSIDER THAT ORDINANCE ON JUNE 7 AND 21) AND THAT THE CITY ATTORNEY BE DIRECTED TO PROCEED WRITING THE FRANCHISE ORDINANCE AND HAVE IT DELIVERED TO THE COUNCIL NO LATER THAN MAY 31. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF MAYOR AND COUNCIL MEMBERS

OUTER BELTLOOP - ADMINISTRATION TO MAKE REPORT

Mayor York indicated there is one item that he feels that the Council should put additional emphasis on and that relates to the outer beltloop. He indicated the present beltloop is about to be completed and that is great but he does not feel that anyone thinks it is really adequate for the future. He indicated he did not know what the Council could do to push for the outer beltloop or the status. He stated he would like for ADMINISTRATION TO LOOK AT THE OUTER BELTLOOP QUESTION AND MAKE RECOMMENDATIONS TO THE COUNCIL AS TO WHAT THE COUNCIL CAN DO TO REALLY BEGIN PUSHING FOR THIS PROJECT. Mr. Upchurch indicated the Intergovernmental Committee has been working with the County on this item. He indicated a little over a year ago they enlarged this Committee and had a representative from each municipality and they have meetings together and discuss items such as this. He indicated the TAC has already been enlarged to include representatives from Apex. He stated the TAC and the Intergovernmental Committee has looked at this. Mayor York indicated that is good and maybe Administration could summarize what these Committees have done so far and then when that report is received by Council, maybe it would be a good Work Session item. He stated at this point, he just wanted a report as to what the Council could do to really get behind this project and push for it. Without further discussion, the item was referred to Administration.

COUNCIL PROJECTS - CHECK LIST - INFORMATION RECEIVED

Mayor York indicated he had another item that he would like to bring up and brief the Council on. He stated he was not going to ask the Council to vote on it but he would like to throw the idea out and would bring it up at the June 7 meeting. He indicated he had developed a list of items or projects that he would like to see the Council push forward on. He stated he would ask the City Council and the City Manager to add to this list. He stated at the June 7 Council Meeting, he would like to adopt a check list of projects that the full Council and Administration would like to see pushed. He stated after the check list is adopted, then at the first City Council Meeting of each month, we would have the check list as a part of the City Manager's Report and as a part of the City Manager's Report, he would give us a status of where we stand on these projects. He indicated the items that he has put on the check list include the following: Raleigh Tomorrow Task Force efforts, York-Hannover development, Municipal Building Complex, Housing Project on State Government Block, Cranston development of the City Market area, North Raleigh and Southeast Raleigh Land Use Plans, Housing Policy, road projects such as Dawson-McDowell, Hammond Road, Atlantic Avenue, Transit Transfer Point, Cable T.V. - Administration and selection of operator, Special Committee on Police Matters, swimming pools, and Boylan Avenue Bridge. He indicated these are just some of the projects that he knew were active and he would like to see pushed. He asked the City Council Members to make suggestions to add to this master list and pointed out Administration should also submit items to be added to the list.

WORK SESSION - MAYOR TO BE EXCUSED; CD TOUR - DROPPED

Mayor York indicated we have a Work Session scheduled for Thursday, May 19. He indicated he has a scheduling problem and would probably be at the meeting for only 30 minutes in the beginning and would request to be excused from the remainder of the meeting.

Later in the meeting, it was agreed to drop the CD Tour from the May 19 Agenda and reschedule it at a later date. This was done because of time problems and the heavy schedule for the May 19 Work Session.

WATER QUALITY CLASSIFICATION - REFERRED TO THE PUBLIC WORKS COMMITTEE

Mayor York indicated as a point of personal privilege, he would like to call on former Council Member Block for the remainder of his report indicating she has a matter she would like to bring to the attention of Council. Without objection, Mrs. Block was allowed to speak.

Mrs. Block indicated she was very interested in the Mayor's check list and stated that he may want to add Southwest and West Land Use Plan updates to the list. She stated she hopes that these will be finished on Thursday and presented to the Council very shortly.

She stated she came to the meeting today because she is very interested in the water quality of the watersheds of the water supply for our area. She stated she would like to ask the Council to go to the Legislature and ask them to review the regulations over the State. She stated she went to Environmental Management Committee and they have had it pending for some time. She indicated she did find out that they will not consider reclassifying water bodies unless a request is made by the local governing body. Mrs. Block briefly explained the different classifications on the different streams in the City and what she felt they should be. Mr. Upchurch questioned if Mrs. Block is requesting specific classifications or just a review with Mrs. Block indicating she is really just asking for a review pointing out she felt the Public Utilities Department could suggest classifications. Discussion took place as to whether this review was in process, what classifications the City needs, when

this action should be taken, etc. After brief discussion, Mr. Edwards MOVED THAT THE REQUEST FOR A REVIEW OF THE CLASSIFICATION OF THE CITY OF RALEIGH'S WATERSHEDS BE REFERRED TO PUBLIC WORKS COMMITTEE AND ASK THE PUBLIC UTILITIES DIRECTOR TO MAKE SUGGESTIONS AT THAT TIME. His motion was seconded by Mr. Calloway and put to a vote and after a brief discussion on the fact that a report could be made to the June 7 meeting, the motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

DRAINAGE PROBLEM - 1900 BLOCK OF RIDGE ROAD - REFERRED TO PUBLIC WORKS COMMITTEE

Mr. Upchurch indicated sometime back, he brought before Council a drainage problem in the 1900 Block of Ridge Road. He indicated Administration has responded to his request and the property owner has been notified what could be done to correct the situation. He indicated, however, the property owner disagrees with the recommendation, therefore, he WOULD LIKE TO REFER THE DRAINAGE PROBLEM IN THE 1900 BLOCK OF RIDGE ROAD TO PUBLIC WORKS COMMITTEE. Without objection, the item was referred.

RALEIGH TOMORROW TASK FORCE - AUTHORIZATION TO UTILIZE FUNDS FOR PROFESSIONAL SERVICES - APPROVED

Ms. Babb indicated she would like to ask City Council concurrence in helping as the Raleigh Tomorrow Task Force moves forward in planning a citizen's forum in July. She stated what she is requesting IS AUTHORIZATION FOR THE RALEIGH TOMORROW TASK FORCE TO SPEND UP TO $2,500.00 OF FUNDS THAT HAVE ALREADY BEEN APPROPRIATED TO HIRE SOME PROFESSIONAL SERVICES TO HELP COORDINATE THE CONFERENCE AND PUT IT TOGETHER. On behalf of the Raleigh Tomorrow Task Force, Ms. Babb moved the recommendation be upheld. Her motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PEDESTRIAN CROSSWALKS - ADMINISTRATION AND CITY ATTORNEY TO GIVE REPORT

Mr. Calloway indicated recently, he has seen a couple of pretty frightening situations on Wilmington Street relating to the pedestrian crosswalks. He indicated he has seen people step off of the curb into the crosswalk feeling they were secure and motorists not observing the crosswalks and near accidents occurring. He questioned if the crosswalks should be highlighted so that motorists would see and observe them better or if they should be removed. He indicated possibly, the crosswalks give the pedestrians a false sense of security. He stated he didn't know really whether they were functioning properly, whether they serve a practical purpose or if they should be removed. Discussion took place as to how the crosswalks are marked, if they say yield to pedestrians, etc. Mr. Walters questioned the legality of the crosswalks and if motorists really have to stop. City Attorney McCormick indicated there is such a thing as a legal crosswalk but he does not know how the wording on our signs is stated. City Manager Zachary indicated Administration will be glad to look into the problem. He stated when he came to Raleigh some years ago, he had the same concern as he felt the pedestrian crosswalks should be taken out. He indicated at that time, he was convinced that people will walk across the street at midblock and it is less dangerous to have the pedestrian crosswalks as it does give some protection as it does seem to focus all pedestrians to crossing at the same place. He indicated, however, drivers from out of town are not use to this and it does cause problems. Without objection or further discussion, the item was referred to Administration and the City Attorney for a report back to Council.

NUISANCE - 115 AND 117 IDLEWILD AVENUE - REFERRED TO ADMINISTRATION

Mr. Calloway asked that the Inspections Division CHECK INTO THE SITUATION AT 115 AND 117 IDLEWILD AVENUE POINTING OUT THERE IS A DETERIORATION OF THE PROPERTY AND ABANDONED BUILDING, ETC. He stated the property is not maintained and would request Administration to look into the situation. Without discussion, the item was referred to Administration.

ANNEXATION - GATEWOOD SUBDIVISION - ADMINISTRATION TO GIVE A REPORT

Mr. Calloway indicated he would like to have a status report on consideration of annexation of the Gatewood Subdivision. He indicated as he understands it, the people would like to be considered for annexation and he would like TO KNOW THE STATUS OF THE POSSIBLE ANNEXATION OF THE GATEWOOD SUBDIVISION. Without objection, the item was referred to Administration.

NUISANCE - PROSPECT AVENUE - ADMINISTRATION COMMENDED

Mr. Keller indicated a couple of meetings back he brought up an item relating to the alleged nuisance on Prospect Avenue. He indicated Administration did provide him with a memo on the situation and he got assurances that the property will be cleaned up and a beautification effort started. He expressed appreciation for this speedy action by Administration.

REPORT OF CITY CLERK AND TREASURER

AR 192 - RESOLUTION ADOPTED

The City Clerk indicated Preliminary Sidewalk Assessment Roll 192 covers the installation of sidewalks on the east side of Six Forks Road from the existing sidewalk to

Sandy Forks Road. The Clerk RECOMMENDED THAT THE RESOLUTION BE ADOPTED WHICH WOULD SET A PUBLIC HEARING TO CONSIDER CONFIRMATION OF COST AT THE JUNE 21, 1983, MEETING. Mr. Edwards moved the Clerk's recommendation be upheld which was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 237

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SIDEWALK ASSESSMENT ROLL NO. 192

WHEREAS, by Resolution No. (1982) 822 adopted by the City Council on February 2, 1982, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property assessable therefor;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed:

Installation of sidewalks on the east side of Six Forks Road from existing sidewalks to Sandy Forks Road.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $2,339.75.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting on both sides of the street. The basis for the assessment is front footage.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	LOCATION OF IMPROVEMENT	AMOUNT ASSESSED
R.S. Ferree	1	0051374	48	5620 Six Forks Rd.	$120.05
R.S. Ferree	2	0051375	47	5700 Six Forks Rd.	350.00
R.S. Ferree	3	0051377	46	5710 Six Forks Rd.	350.00
R.S. Ferree	4	0051377	45	5720 Six Forks Rd.	350.00
Kathleen & Hans Hamann	5	0027935	51	5830 Six Forks Rd.	469.70
Elizabeth B. Scott	6	0062842	30	5834 Six Forks Rd.	350.00
George & Bettie Lee	7	0038294	31	5838 Six Forks Rd.	350.00

Cost Per Foot: $3.50

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 192 is hereby ordered filed in the office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 21 day of June, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the

special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 5/17/83

MINUTES - VARIOUS - APPROVED AS PRESENTED

The City Clerk indicated Council Members received copies of the minutes of the April 19 Zoning Hearing and the May 3 Council Meeting and Zoning Hearing. There being no corrections, MAYOR YORK ANNOUNCED THE MINUTES APPROVED AS PRESENTED.

TAXES - REBATES AND/OR REFUNDS - RESOLUTIONS ADOPTED

The City Clerk indicated Council Members received in their Agenda packet three proposed resolutions relating to tax refunds and/or rebates as well as listing of refunds made for clerical error purposes. Mr. Jordan MOVED ADOPTION OF THE RESOLUTIONS AS PRESENTED AND THE LISTING OF REFUNDS FOR CLERICAL ERROR PURPOSES AS PRESENTED. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 238

A RESOLUTION ADJUSTING, REBATING OR REFUNDING PENALTIES AND RELIEVING INTEREST FOR LATE LISTING OF PROPERTY FOR AD VALOREM TAXES

WHEREAS, pursuant to G.S. 105-331, a 10% penalty was assessed against the property owners listed below for failure to list their taxable property during the regular listing period; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to list on time was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 10% penalty assessed against the property of the following named persons be and the same is hereby adjusted, rebated or refunded as shown:

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Cromption Co., Inc. Pilot Plant Archie P. McKinnis P.O. Box 907 Waynesboro, VA 22980	01-1-5023558	$425,599	Relief
1983	Henry L. Lewis, Jr. Qtrs. 2828A Ft. Lewis, WA 98433	01-2-5215786	$ 2,610	Relief
1983	N.C. Retired Governmental Employees' Association, Inc. Ben Eaton P.O. Box 10561 Raleigh, NC 27605	01-7-5238204 (For Yr. 1982)	$ 4,881	Relief
1983	N.C. Retired Governmental Employees' Association, Inc.	01-7-5238201 (For Yr. 1981)	$ 2,982	Relief
1983	N.C. Retired Governmental Employees' Association, Inc.	01-7-5238198 (For Yr. 1980)	$ 3,214	Relief
1983	N.C. Retired Governmental Employees' Association, Inc.	01-7-5248373 (For Yr. 1979)	$ 1,338	Relief
1983	N.C. Retired Governmental Employees' Association, Inc.	01-7-5248370 (For Yr. 1978)	$ 1,239	Relief
1983	Chit Wisuthseriwong 6516 Suburban Dr., Apt. 3D Raleigh, NC 27609	07-2-5097878	$ 9,965	Relief
1983	Joseph D. & Donna M. Nye 4829 Yadkin Drive Raleigh, NC 27609	01-2-0046551	$ 2,585 (H/H Pers. Only)	Relief

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Barbara Alford 4212 Converse Drive Raleigh, NC 27609	01-2-5243640	$ 11,575	Relief
1983	Abdullah Sulieman & Jeanie M. Alfuhaid P.O. Box 951 Marianna, FL 32446	01-2-0097022	$ 2,386	Relief
1983	Armco, Inc. D. L. Parker 1001 Grove Street Middletown, OH 45042	01-1-5000-916	$ 10,494	Relief
1983	Armco, Inc.	11-1-5000915	$413,627	Relief
1983	Broadway & Seymour, Inc. Thomas M. Wilson P.O. Box 20484 Charlotte, NC 28282	01-1-5824714	$ 900	Relief
1983	Charles Dixon Case 2514 Kenmore Drive Raleigh, NC 27608	01-2-0058629	$ 14,018	Relief
1983	William Avery Fairfax, Jr. HQ ROK/US CFC, C2 PSYOP APO San Francisco, CA 96301	01-2-5057646	$ 4,410	Relief
1983	Janet E. Fox 907-9 Shellbrook Court Raleigh, NC 27609	07-2-5243649	$ 8,765	Relief
1983	Ruth Perry Hocutt 111 Chamberlain Street Raleigh, NC 27607	01-2-5013428	$ 610	Relief
1983	E. A. Hughes, Jr. William D. Peyton Wachovia Bank & Trust Co. P.O. Box 27886 Raleigh, NC 27611	01-2-0034014	$ 1,870	Relief
1983	C. Maurice Johnson 3311 N. Blvd. Raleigh, NC 27604	17-2-0113385	$ 9,100	Relief
1983	Beatrice K. Lynch 4505-F Edwards Mill Road Raleigh, NC 27612	11-2-5243643	$ 5,635	Relief
1983	C. S. Manooch 1701 Oberlin Road Raleigh, NC 27608	01-2-0043886	$ 2,092	Relief
1983	Willis S. & Raeann B. Martin 5309 Fireside Drive Raleigh, NC 27609	01-2-0044536	$ 3,428	Relief
1983	Jeffrey C. & Peggy A. Miller 6212-M Shanda Drive Raleigh, NC 27609	07-2-5243622	$ 3,970	Relief
1983	Lenore Kathryn Moore 1311-G Kent Road Raleigh, NC 27606	01-2-5958610	$ 1,440	Relief
1983	Moira A. Nyrien 2408-L Wesville Court Raleigh, NC 27607	11-2-5243631	$ 1,805	Relief
1983	Dewey Thomas Okelley, Jr. & Sylvia M. 2302 Byrd Street Raleigh, NC 27608	01-2-0013942	$ 5,609	Relief
1983	William W. & Kathleen T. Provett 3010 Cambridge Road Raleigh, NC 27608	01-2-0118361	$ 19,196	Relief

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Rogers Oil Company, Inc. Giles E. Crowell, Jr. P.O. Box 26007 Raleigh, NC 27611-6007	01-1-5025740	$454,588	Relief
1983	Rogers Oil Company, Inc.	01-1-5238242	$ 92,321	Relief
1983	Rogers Oil Company, Inc.	18-7-5183611	$ 16,584	Relief
1983	Rogers Oil Company, Inc.	07-7-5223547	$ 13,778	Relief
1983	Rogers Oil Company, Inc.	17-7-5197316	$ 1,650	Relief
1983	Rogers Oil Company, Inc.	18-7-5183620	$ 34,562	Relief
1983	Rogers Oil Company, Inc.	18-7-5025744	$ 5,591	Relief
1983	Rogers Oil Company, Inc.	11-7-5025742	$ 19,063	Relief
1983	Rogers Oil Company, Inc.	04-7-5223553	$ 6,589	Relief
1983	Rogers Oil Company, Inc.	02-7-5197313	$ 22,428	Relief
1983	Rogers Oil Company, Inc.	13-7-5183617	$ 14,638	Relief
1983	Rogers Oil Company, Inc.	17-7-5025747	$ 7,207	Relief
1983	Rogers Oil Company, Inc.	13-7-5025749	$ 9,991	Relief
1983	Rogers Oil Company, Inc.	09-7-5183614	$ 9,048	Relief
1983	Rogers Oil Company, Inc.	09-7-5183626	$ 6,596	Relief
1983	Rogers Oil Company, Inc.	16-7-5088180	$ 14,545	Relief
1983	Rogers Oil Company, Inc.	17-7-5223559	$ 6,969	Relief
1983	Rogers Oil Company, Inc.	10-7-5223556	$ 11,706	Relief
1983	Rogers Oil Company, Inc.	02-7-5025745	$ 440	Relief
1983	Rogers Oil Company, Inc.	15-7-5025748	$ 3,090	Relief
1983	Rogers Oil Company, Inc.	17-7-5183623	$ 880	Relief
1983	Rogers Oil Company, Inc.	19-7-5212628	$ 1,760	Relief
1983	Joseph C. Rosenoir 4023 Deep Hollow Drive, Apt. 226 Raleigh, NC 27612	01-2-5243634	$ 2,133	Relief
1983	Zack White Co., Inc. Z. S. White P.O. Box 6029 Raleigh, NC 27608	01-7-5238248	$ 1,630 (Addtl. Assmt.)	Relief
1983	Charles D. Wilson 3221-I Calumet Drive Raleigh, NC 27610	01-2-5243616	$ 5,205	Relief
1983	Ruth W. Womeldorf 305 Taylor Street Raleigh, NC 27607	01-2-0074973	$ 9,207	Relief
1983	Ronald R. & Dorothy Autrey 501 Ashebrook Drive Raleigh, NC 27609	07-2-0112173	$ 9,338	Relief
1983	Dewbra W. Beale 1800 Pineview Street Raleigh, NC 27608	01-2-0005200	$ 1,639	Relief
1983	Dewbra W. Beale	01-8-5238844 (For Yr. 1982)	$ 1,639	Relief
1983	Dewbra W. Beale	01-8-5238841 (For Yr. 1981)	$ 1,639	Relief
1983	Richard T. Boyd 3039 Churchill Road Raleigh, NC 27607	01-2-0059370	$ 8,667	Relief

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	Ernest G. & Anna V. Charles 4212 Pittsford Road Raleigh, NC 27604	01-2-0035728	$ 3,401	Relief
1983	Herbert Walter & Gaynell L. Davis 1400 Savannah Drive Raleigh, NC 27610	01-2-0078382	$ 5,681	Relief
1983	Margaret A. Flynn 44 Buck Jones Road Raleigh, NC 27606	01-2-5222753	$ 4,130	Relief
1983	Grace P. Garriss 3220 Bedford Avenue Raleigh, NC 27607	01-2-0024355	$ 2,466	Relief
1983	Michael R. Gifford 1806 Hillock Dr., Apt. C Raleigh, NC 27612	01-2-5222756	$ 5,080	Relief
1983	Harry Wayne & Kim K. Howell 7301 Sandy Creek Drive Raleigh, NC 27609	07-2-0119446	$ 8,179	Relief
1983	Harry M. King 3800 Brentwood Rd., Apt. K Raleigh, NC 27604	01-2-5056521	$ 5,816	Relief
1983	Melanie A. Mudge 2701 Lochmore Drive Raleigh, NC 27608	01-2-0058575	$ 2,600	Relief
1983	Sujan Kumar & Monica Mukherjee 5400 Old Towne Road Raleigh, NC 27612	07-2-0106484	$ 10,091	Relief
1983	Joel L. Page, Jr. & Charlotte L. 4500 Oak Park Road Raleigh, NC 27612	01-2-0024756	$ 8,661	Relief
1983	Clifton G. Parker, Jr. & Jewell A. 416 Drummond Drive Raleigh, NC 27609	01-2-0077807	$ 23,567	Relief
1983	Ruby T. Peebles 905 W. Peace Street Raleigh, NC 27605	01-2-0070135	$ 3,068	Relief
1983	Dan L. & Melanie M. Stanley 5721 Timber Ridge Drive Raleigh, NC 27609	01-2-0003807	$ 15,488	Relief
1983	Patricia Lynn Tilley 1026 Nichols Drive Raleigh, NC 27605	01-2-0117439	$ 962	Relief
1983	Bert W. Weidle 4012 Twickenham Ct., #304 Raleigh, NC 27612	08-2-5222759	$ 8,660	Relief
1983	Betty D. Whorton 116 St. Marys St., Apt. 502 Raleigh, NC 27605	01-2-5042043	$ 270	Relief
1983	Agatha Deborah Sampson 615 Apple Cross Drive Cary, NC 27511	08-2-5856664	$ 6,860	No Relief
1983	Zwa Hanna Beckman 1825-A North Hills Drive Raleigh, NC 27612	01-2-5222722	$ 5,990	No Relief
1983	Triangle X-Ray Co., Inc. W. Greyson Quarles, Jr., CPA P.O. Box 946 Raleigh, NC 27602	17-7-5239500	$ 58,392	No Relief

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1983	James Gordon & Barbara J. Still 6205 Dresden Lane Raleigh, NC 27612	07-2-0111509	$ 13,250	No Relief
1983	2001 of Raleigh, Inc. Chris Judy 3901 Computer Drive P.O. Box 19044 Raleigh, NC 27619	01-1-5238239	$555,106	No Relief
1983	Robert A. & Darlene W. Voelker 709 Barbara Drive Raleigh, NC 27606	01-2-0094373	$ 5,621	No Relief
1982	Lionel James & Daphne L. Randolph 1009 Chatham Lane Raleigh, NC 27610	01-2-5047160	$ 2,005	No Relief
1982	Lionel J. Randolph	01-2-5230001	$ 4,445	No Relief
1982	Lionel J. Randolph	01-8-5221544 (For Yr. 1981)	$ 4,270	No Relief
1982	Lionel James & Daphne L. Randolph	01-8-5233671	$ 1,944	No Relief
1982	Lionel James & Daphne L. Randolph	01-8-5233668 (For Yr. 1981)	$ 1,944	No Relief
1982	Lionel James & Daphne L. Randolph	01-8-5233665 (For Yr. 1980)	$ 1,944	No Relief

Section 3. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making the appropriate entries thereon that such penalties are rebated or refunded by order of the Raleigh City Council.

Adopted: 5/17/83

Effective: 5/17/83

RESOLUTION NO. (1983) 239

A RESOLUTION REFUNDING TAXES AS SET FORTH HEREIN

WHEREAS, the proper tax authority of the City of Raleigh has reported to the City Council that certain taxes appearing upon the tax records of the City of Raleigh, listed below, should be refunded for the reasons given; and

WHEREAS, the City Council finds as a fact that the reason in each instance for the refund of the tax is true, and that the same should be allowed; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following taxes heretofore assessed be and the same ordered refunded as may be indicated below:

YEAR	TAXPAYER	ACCOUNT NO.	AMOUNT OF REFUND	REASON FOR REFUND
1980	Brooks, James A., Jr.	01-2-0010390-80	$ 34.73	Error-Illegal Bill
1981	Brooks, James A., Jr.	01-2-0010390-81	34.73	Error-Illegal Bill
1982	Brooks, James A., Jr.	01-2-0010390-82	35.10	Error-Illegal Bill
1982	Company, Mohammad	13-2-5828335-82	55.66	Error-Illegal Bill
			Int. 1.11	
1982	McCann, Deborah Y.	01-2-5234310-82	80.04	Error-Illegal Bill
1982	Odom & Taylor Service Station	01-1-5112661-82	110.48	Error-Illegal Bill
1981	Sexton, Norma Anice	01-2-5787347-81	8.70	Error-Illegal Bill
1982	Beandall, Sallie Ricks	01-2-5822506-82	9.72	Error-Illegal Bill
1982	CIT Service Leasing Corp.	01-1-5004381-82	315.32	Error-Illegal Bill
1982	Cicero, Paul Marven Lo	01-2-5827564-82	4.44	Error-Illegal Bill
			Int. .09	
1982	CIT Leasing Corp.	16-1-5234065-82	321.95	Error-Illegal Bill
1982	Brower Chiropractic Physicians, P.A.	01-1-5219189-82	51.94	Error-Illegal Bill

YEAR	TAXPAYER	ACCOUNT NO.	REFUND	REFUND
1982	Knolls Apartments, The	07-7-5843853-82	140.42	Error-Illegal Bill
1981	Superior Paint Co.	01-7-5791141-81	28.44	Error-Illegal Bill
1982	Business Prod. Leasing	01-1-5055197-82	26.40	Error-Illegal Bill
1982	Creech, Carolyn G.	01-2-0002453-82	107.87	Error-Illegal Bill
1982	Crossroads Ltd.	07-1-5034923-82	43.38	Error-Illegal Bill
1982	Hicks, Clifton Lee & Elizabeth W. Hicks	11-2-5838420-82	23.73	Error-Illegal Bill
1981	Holland, Charles William	01-2-5765259-81	1.54	Error-Illegal Bill
1982	Huggins, Robert L. & Angela V.	01-2-5231994-82	69.00	Error-Illegal Bill
1982	J&H Machine Tools, Inc.	01-1-5840926-82	55.84	Error-Illegal Bill
1982	Mirlen Group, The	01-2-5848927-82	41.05	Error-Illegal Bill
1982	Javins, Thomas Murray Beverly Ann Young	01-2-5841214-82	17.94	Error-Illegal Bill
1982	Kazunori. Horai	01-2-5215662-82	10.34	Error-Illegal Bill
1982	S&C Company	01-1-5022253-82	42.23	Error-Illegal Bill
1982	Scheider, Robert Ray Kristen Louise Scheider	07-2-5857043-82	24.87	Error-Illegal Bill
1982	Stephenson, W.C., Inc.	01-7-5859967-82	9.98	Error-Illegal Bill
1981	Sutton, Arthur Jr.	01-2-5791175-81	61.38	Error-Illegal Bill
1982	Thompson, Myrtle Bunch	01-5-0070441-82	54.72	Error-Illegal Bill

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entires thereon that such penalties are rebated or refunded by order of the Raleigh City Council.

Adopted: May 17, 1983

RESOLUTION NO. (1983) 240

A RESOLUTION APPROVING TAX EXEMPTION AS DESCRIBED

WHEREAS, pursuant to N.C. General Statutes 105-285.3, exemption from taxation was available for the property owners, listed below; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to request relief in a timely manner was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following be approved for exemption from taxation:

YEAR	TAXPAYER	AMT. OF VALUE	RECOMMENDATION
1981	Total Life Center	$4,465	Approved
1983	Mount Vernon Baptist Church of Wake County, Inc.	2,640	Approved

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated by order of the City Council.

Adopted: May 17, 1983

ADJOURNMENT

There being no further business, MAYOR YORK ANNOUNCED THE MEETING ADJOURNED AT 5:00 P.M.

Gail G. Smith
City Clerk and Treasurer

jj/CC

The City Council of the City of Raleigh met in a regular reconvened meeting on Tuesday, May 17, 1983, at 7:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Edwards
Mr. Jordan - Arrived Late
Mr. Keller
Mr. Walters
Mr. Upchurch

Mr. Calloway - Absent and Excused

Mayor York indicated Mr. Calloway had requested PERMISSION TO BE EXCUSED FROM THE NIGHT PORTION OF THE MEETING. He stated without objection, he would be excused. Mayor York also welcomed a group of third graders from Brentwood Elementary School.

REQUEST AND PETITIONS OF CITIZENS

GREEN ROAD PARK - COMMENTS RECEIVED - REFERRED TO BUDGET WORK SESSION

Thomas Ward, 4612 Castlebar Drive, indicated he was at the meeting representing the Green Road Park Master Planning Committee and the Exchange Club of Shamrock/North Shore, the Exchangette Club of Shamrock/North Shore, the North Shore Neighborhood Association, the North Shore Garden Club, the residents of Shamrock Meadow and North Shore and thousands of other citizens in one of the fastest growing areas of Raleigh. He stated he was at the meeting to address the future development of Green Road Park and expressed appreciation to the Council for past support of the Green Road Park and the concern for recreational needs of the citizens of Raleigh. He pointed out to the Council that the Green Road Park Community Center building is in three phases of the plan. He stated they are at the meeting to address Phases I and II and the importance of both phases being constructed as one project. He stated the reasons for completing the core facility and the gymnasium additions are: (1) projected growth for the area, (2) number of residents being served, (3) age group of populations, and (4) extensive present use of the park. He stated they envision that these facilities would be used by Boy Scouts, Girl Scouts, polling places for a new precinct to be formed, civic groups and as the only racquetball center in the City of Raleigh parks system. He stated they expect the racquetball courts to be a revenue generating facility for the City and the gymnasium would be used by basketball and volley ball leagues, gymnastics and various functions sponsored by the parks system. He indicated building Phases I and II together will save the taxpayers of Raleigh by taking advantage of the competitive situation in today's construction market. He stated the architect's estimated cost for the core facility in the gymnasium addition is $941,131.00. He stated the core facility estimate is $450,000.00 which has been allocated for Green Road Park by the Bond Referendum, therefore, they need an additional $491,000.00. He stated they would hope that the Council would respond favorably to this request but should they not, he would ask that the Council consider approving the necessary funds to build a complete hull and the inner portions can be completed as funds become available.

Mayor York indicated the Council is going to be reviewing the Council Budget on May 26. Mr. Walters indicated that is correct and at the afternoon section of the meeting, he was ready to make a recommendation but deferred until he heard the comments from the community. Mr. Walters stated he did have some very specific recommendations relating to phasing the core facility. He stated he had also talked with an architect relating to how the costs were figured. He stated with these type items, he feels that he has some suggestions that would be very valid and could get everything accomplished. Mr. Walters again stated he had some very specific recommendations to make and after brief discussion, it was agreed to receive the comments and further discuss the item at the May 26 meeting.

ENCROACHMENT - 301, 305 AND 307 SOUTH WILMINGTON STREET - APPROVED CONDITIONALLY

Phillip Horwitz, 307 South Wilmington Street, indicated he was representing himself, Ted's T.V. at 301 South Wilmington Street and New York Fashions at 305 South Wilmington Street. He indicated the City had been very kind to lend these companies Brian Scott of the Planning Department who has helped them with designs and ideas in developing a coordinated approach to improving their facades. He indicated he has painted his store, put on a new front and in all of his efforts he is trying to keep the historic aspect of the area. He stated he would like permission to put a folding type awning in front of the store but understands he would have to have an encroachment permit. He presented renderings of how the stores looked, what they look like now and the ideal of what they would like for them to look like when the whole project is completed. He stated he has a sign in front of Reliable Loan and he also is requesting permission to change the colors of that sign to beige and green to match the new facade.

MR. JORDAN ARRIVES AT THE MEETING.

City Manager Zachary indicated he had a memo from the Planning Director urging support of the encroachment request pointing out the improvements made by the companies are compatible with the objectives of the Downtown East Redevelopment Plan and supportive to the City Market/Arcade Project. City Manager Zachary indicated he also

has a memo from the Zoning Inspector which indicates the existing sign located at 307 South Wilmington Street would require City Council approval in order for the sign to remain and/or the property owner to change the color. The sign currently does not meet the requirements for a projecting sign. The sign has been in this location for quite some time, however, the City's files do not indicate that the sign has ever been approved by Council. The sign currently projects seven feet from the building wall which is two feet greater than the Code allows. He indicated it was the recommendation of the Zoning Inspector that if the encroachment agreement is granted that the sign be constructed according to the Sign Ordinance Section 10-2065.2(f)(1) or the applicant should appeal to the Board of Adjustment. Discussion took place as to what exactly the Council needs to approve. Mr. Horwitz indicated when he purchased the store, he inherited the sign and pointed out it is one of the smallest ones in the area. He indicated he just wants permission to change the color of the sign but he also understands he has to have permission for it to encroach over the right-of-way as well as permission to install the awning which would encroach over the right-of-way. He stated late this afternoon, he learned that the sign does not conform to the Sign Ordinance and it would be an appeal to the Board of Adjustment to determine if changing the color of the sign is allowed and also request a variance in the size of the sign. He indicated he understood the Board of Adjustment does not meet until June 13 and he has to have the necessary applications in right away. He stated he doesn't mind doing all of this but he also understood he would have to come to the Council also to get permission for "everything" to encroach over the right-of-way. Discussion took place as to the best approach for the Council to take with Mr. Edwards indicating what Council could do is approve the encroachments subject to Administration preparing all of the agreements, etc., however, he understands that the Board of Adjustment would have to address the question of the change of color of the sign as well as the size of the sign. He indicated this sign has been there a long time and if it does go to the Board of Adjustment, he would encourage the Board of Adjustment to look with favor as the sign would look much better if it could be the colors of the facade. Mr. Horwitz indicated he does not want anything that will destroy the work or improvements he has made. He stated if the sign does not look right then he would tear it down. He stated he just wanted to do everything according to policy and just wanted permission to change the color of the existing sign. After lengthy discussion on what the Council needs to approve or what items are before Council, Mr. Edwards MOVED THAT THE CITY COUNCIL APPROVE THE ENCROACHMENT PERMIT AGREEMENTS FOR THE AWNING AND SIGN SUBJECT TO SUBMISSION AND APPROVAL OF PLANS FOR A BUILDING PERMIT AND ADMINISTRATION HANDLING ALL OF THE PAPER WORK. His motion was seconded by Mr. Upchurch. Mr. Edwards also indicated if he understood correctly, it has to go to the Board of Adjustment for interpretation as to whether painting the sign is a change and he hopes that it will be a favorable interpretation. The motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

STREET CLOSING - McDONALD LANE - APPROVED

Richard M. Lewis, representing White Memorial Presbyterian Church, had requested permission to close McDonald Lane between Oberlin Road and Colonial Drive on June 17, 1983, between 10:00 a.m. and 1:00 p.m., in order to have a Vacation Bible School celebration. The church is also requesting waiver of the $50.00 filing fee. City Manager Zachary indicated Administration has no problems as the church owns all property on both sides of McDonald Lane. He indicated the church should be expected to provide, install and remove the barricades necessary to close the street and should be requested to notify by phone the Emergency Communications Center at the time the street is actually closed and when it is reopened. Mr. Edwards MOVED APPROVAL OF THE CLOSING OF THE STREET AS OUTLINED AND WAIVER OF THE $50.00 FILING FEE. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

AMPHITHEATER - PROPOSED RULES - REFERRED TO THE PUBLIC WORKS COMMITTEE

Isabella Cannon, 212 Brooks Avenue, indicated she was at the meeting representing the University Park Homeowners Association. She stated they wish to propose to the City Council and to appropriate administrative groups involved the following request for management of concerts in the amphitheater at the Raleigh Little Theatre: (1) That a permit be required from any person or group wishing to use the amphitheater for a concert. This permit to be issued by the City Manager's Office. She stated it is important that permits be handled under the supervision of the Central Administration since many departments are involved, namely Police, Sanitation, etc., and only Central Administration could assign duties to all departments involved. (2) That no permits be granted which would allow projected crowds larger than the capacity of the amphitheater. Specific guidelines would need to be developed. (3) That time limitations as to length of concerts be established. The Homeowners Association suggests a maximum time of four hours either day or night with no concert being allowed to continue after 8:00 p.m. (4) Crowd control to handle parking and other possible violations be a required part of any permit issued. The Police Department should handle this and if they find a fee is needed, the Council could determine this. (5) Adequate toilet facilities determined by the projected size of the crowd be required. (6) Adequate numbers of litter containers be required. If additional cleanup costs are necessary, these should be charged to the sponsors.

Ms. Cannon indicated this request is a result of serious problems from concerts culminating in a very large concert last Labor Day - 1982. She stated this resulted in approximately 100 arrests, abuse of homeowners' property for toilet needs and large cleanup costs borne in part by the City. She stated it was also prompted by

the length of some concerts since those living close by cannot move away if they find the music unenjoyable. She stated the adjacent residents should have their quality of life respected. Ms. Cannon indicated there have been some very good concerts held at the amphitheater with no problems. She stated, however, it is felt that some guidelines should be put in place. Mr. Upchurch REQUESTED THAT THE PROPOSED GUIDELINES BE REFERRED TO PUBLIC WORKS COMMITTEE. His motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SIGN APPROVALS - OFFICE AND INSTITUTION DISTRICTS - REFERRED TO PUBLIC WORKS COMMITTEE

Ben Taylor, representing Crabtree Center Associates, was at the meeting requesting approval of an Office and Institution district sign. Mr. Taylor indicated there is a rendering of the drawing on the wall. He stated he has had some difficulty recently in approval of signs within the City. He stated the Inspections Division will not approve the signs and he does not understand since the ordinance hasn't been changed and the signs had been approved previously. He read from the Code giving the definition of ground signs, etc. He indicated this sign is basically a brick wall with letters that would be a unified gold color and he felt according to Code Section 10-2065.2(c) that the sign could be approved. He stated he had never been given a reason why it couldn't be approved. City Manager Zachary read a memo from the Inspections Division which indicated staff approval of these signs was granted in a Code text change that was effective June 2, 1981. Mayor York questioned what is wrong with the sign and why it could not be approved. Brief discussion took place and Mr. Edwards MOVED THAT THE PROBLEM RELATING TO APPROVING GROUND SIGNS BE REFERRED TO PUBLIC WORKS COMMITTEE. His motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

MOBILE UNIT - 4114 NEW BERN AVENUE - REFERRED TO PUBLIC WORKS COMMITTEE

Frances Coley, 4112 New Bern Avenue, was at the meeting indicating she had sent Council Members a letter explaining her problem. She explained she has a building at 4114 New Bern Avenue that she rents to John Raper who is doing business at that location. She indicated his business has grown and needs more space, therefore, he wants a special use permit to put a trailer behind the building which would stay as long as he rents the building from her. She stated the trailer would have no plumbing at all and he needs the space and she needs the money. She stated this is next to the landfill road which has caused her trouble ever since it had been put there. She stated she did not ask for the landfill to come and she hates to have it devalue her property. She stated it does not seem fair for her not to be able to have a trailer on her land when she was there long before the City landfill road was put in and that is what is causing the problem. City Manager Zachary read a memo from the Inspections Division outlining the problem after which Ms. Babb MOVED THAT THE REQUEST FOR A TRAILER AT 4114 NEW BERN AVENUE BE REFERRED TO PUBLIC WORKS COMMITTEE. Her motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

DRAINAGE PROBLEM - POSTELL STREET AREA - REFERRED TO PUBLIC WORKS COMMITTEE

James Shufford, representing the Postell Street Concerned Neighbors, was at the meeting to discuss the water problems in the area. He indicated he was before the Council over a year ago with the same situation. He explained the water drains from the Lucille Hunter School area and is running under the houses at such a speed that it is undermining the underpinning of the house. He indicated he is not at the meeting to ask the City to furnish complete cost to correct the problem, just asking if there is some way that the neighbors can share the cost and get the problem corrected. He indicated he has been told that the problem starts with the Wake County School System but they are doing nothing to correct the problem. He stated he was not at the meeting to ask or to place blame on anyone or to get into the legal hassle; he just wants everyone to try to work together and solve the problem. He indicated the Lucille Hunter area is in the final phase of renovation and if this problem was corrected, it would help the school and the neighbors and also help protect the public housing that is about 500 feet away from where the problem is occurring. He stated the problem has been going on four to five years. He indicated he can correct his particular situation but if he does, it just throws more water on someone else. He indicated a lot of the houses are eroding and the people cannot afford to pay the tremendous amount of money necessary to correct it. He indicated the City has a machine that could just go out and cut the hill down and the problem would be solved but the neighbors cannot do anything because the property does not belong to them. City Manager Zachary indicated the Mayor and other Council Members went out and looked at the problem over a year ago and they thought that it had been resolved. After brief discussion, Mr. Edwards MOVED THAT THE DRAINAGE PROBLEM IN THE POSTELL STREET AREA BE REFERRED TO THE PUBLIC WORKS COMMITTEE. His motion was seconded by Mr. Walters and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

STREET CLOSING - WOODS PLACE - APPROVED CONDITIONALLY

Margaret Rose Murray, representing the Method Civic League, was at the meeting to request permission to close one block of Woods Place on May 21 between 3:00 p.m. and 8:00 p.m. for a community picnic. She indicated they are also requesting a waiver of the $50.00 filing fee. City Manager Zachary indicated the Police Department has no objections to this street closing, however, the applicant would be expected to provide, install and remove the barricades necessary to effectively close the street and provide notification of the actual street closing and reopening to the Emergency

Communications Center. After brief discussion, Mr. Upchurch MOVED THE STREET CLOSING BE AUTHORIZED WITH THE CONDITIONS OUTLINED BY THE MANAGER AND WAIVER OF THE $50.00 FILING FEE. His motion was seconded by Mr. Walters and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

NONE

MATTERS SCHEDULED FOR PUBLIC HEARING

PUBLIC NUISANCE COST CONFIRMATION - 2511 GARNER ROAD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adopting a resolution confirming charges in the amount of $158.00 for abating public nuisances at 2511 Garner Road, Lot 64, Map 606. The property is in the name of James W. and Muriel W. Allison, Jr. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch MOVED ADOPTION OF A RESOLUTION CONFIRMING COSTS AS OUTLINED. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 233.

PUBLIC NUISANCE ABATEMENT - 1623 SUNRISE AVENUE - HEARING - RESOLUTION ADOPTED

A hearing to consider adoption of a resolution confirming charges in the amount of $176.36 against 1623 Sunrise Avenue in the name of Owen F. and Harriet B. Shearin. The charges are for abating public nuisances at that location. The Inspections Division's efforts to locate the property owner were unsuccessful, therefore, notice was by publication in The Raleigh Times. Mayor York opened the hearing to the public. No one asked to be heard, thus the hearing was closed. Mr. Upchurch MOVED ADOPTION OF A RESOLUTION CONFIRMING CHARGES AS OUTLINED. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 233

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and,

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 5 of the Code of the City of Raleigh, relating to the abatement of nuisances; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically Part 7, Chapter 5.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same lien against the premises as provided in Part 7, Chapter 5 of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	ABATEMENT COST
Erwin and Burgunde H. Winz	729 West Morgan Street Lots 6 and 7, Block D-5 Map D-2	$154.00
James W. and Muriel W. Allison	2511 Garner Road Lot 64, Map 606	$158.00
Owen F. and Hariett B. Shearin	1623 Sunrise Avenue	$176.36

Section 3. That this resolution shall become effective May 17, 1983.

Adopted: May 17, 1983

UNFIT DWELLINGS - 1425 AND 1427 CURFMAN STREET AND 404 BLEDSOE AVENUE - REFERRED TO LAW AND FINANCE COMMITTEE

This was a hearing to consider adoption of an ordinance declaring the following dwellings unfit and directing that they be placarded to prohibit their use and/or occupancy. The Mayor opened the hearing on each case.

1425 and 1427 Curfman Street - Bhola N. and Radha L. Gupta, property owners. Housing Inspections Supervisor Bartholomew indicated a letter was hand delivered on May 11 indicating the property owners were in the process of going out of town but would like an opportunity to discuss this matter with Council. Mr. Jordan MOVED THAT THE REQUEST TO DECLARE THE DWELLINGS AT 1425 AND 1427 CURFMAN STREET UNFIT BE REFERRED TO LAW AND FINANCE COMMITTEE. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

404 Bledsoe Avenue - David and Pauline H. McCloud. Housing Inspections Supervisor Bartholomew indicated he has discussed this problem with the daughter of the property owner. He indicated the McClouds had gone through the process for a loan or grant, however, that was denied. He stated they have received a loan from a private source for about $15,000.00 and they are to go to bid for the repairs today. He indicated once the bids are received, the repairs would be started immediately. He indicated it is felt that the work could be completed in 30 to 40 days. Mr. Jordan MOVED THAT THE REQUEST TO DECLARE 404 BLEDSOE AVENUE UNFIT BE REFERRED TO THE LAW AND FINANCE COMMITTEE. His motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

UNSAFE BUILDING - 6401 RAY ROAD - HEARING - ORDINANCE ADOPTED

A hearing to consider adoption of an ordinance finding the dwelling at 6401 Ray Road unsafe and directing that it be demolished. The property is in the name of Pepperwood Associates. Mayor York opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Upchurch MOVED ADOPTION OF AN ORDINANCE DECLARING THE DWELLING AT 6401 RAY ROAD UNSAFE. His motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 120

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 6401 RAY ROAD IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 7, Chapter 4, Article D of the Code of the City of Raleigh, North Carolina and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance, and

WHEREAS, the Building on said premises should be demolished as directed by the Inspections Superintendent for the reason that the same is an unsafe building as described in Part 7, Chapter 4, Article D of the Code of the City of Raleigh.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

PROPERTY OWNER	LOCATION
Pepperwood Associates	6401 Ray Road

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Article IV of Chapter 7 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective May 17, 1983.

Adopted: May 17, 1983

PU 1983-7 - SANITARY SEWER MAIN - HEARING - REFERRED TO PUBLIC WORKS COMMITTEE

A hearing to consider the installation of approximately 425 feet of 8 inch sanitary sewer main beginning at the existing manhole at the rear of Lot 49 northward within existing easement. This property is in the vicinity of St. Andrews Presbyterian Church (PU 1983-7). Public Utilities Director Butler explained the proposal. Mayor York opened the hearing.

Larry Pressler indicated his property backs up to this project and he was not notified of the project. He indicated he spoke with the City Clerk in the afternoon and was told the reason he was not notified is that he would not be assessed and his property was not involved. He stated that that is not correct as the manhole that is going to be utilized is on his property. He stated he has not had any satisfaction as to why he was not notified. He indicated we are talking about an 8 inch sewer main which calls for the clearing of a 30 foot wide strip and that would involve approximately 1,250 square feet. He stated he did not understand why it takes that much room for construction equipment to work. He questioned if anyone had considered the environmental impact of this project and considered shaving it down so that such

a big easement would not be required. He also questioned if the City would pursue an alternate routing for the line. He stated he would like to see it put in somewhere that so many trees would not be demolished. He stated he understood the church had requested the service and he wonders if they have presented a true need. He stated he was just at the meeting to question why he was not notified, if there is a need for this line, if any environmental impact study has been made and questioned the possibility of rerouting it or fitting the project to a smaller easement. He indicated that the City's surveyors told him the manhole was on his property so he does feel he is involved. He stated he feels someone needs to look at this question closer.

Jim Tarten, 7328 Tanbark, indicated he was not notified of the hearing, that he just saw the surveyors out working in his yard. He indicated this easement would cut down a lot of trees. Discussion then took place about how much this would cost and if there would be an exemption for duplicate service.

Dan Dry, representing St. Andrews Presbyterian Church, indicated they are in the City Limits and they were trying to get connected to the City sewer service and coming from the manhole was the shortest distance. He indicated since they began their construction several months back, they have had a line laying underneath the church. He indicated they did not anticipate any problem or opposition, that they just need the sewer service. He indicated they are presently using a temporary septic tank. He indicated they were not having any trouble but they were told that they were at a maximum point for the septic tank and would have to hook on to the City sewer. Brief discussion took place with it being pointed out that the City normally runs the sewer lines in a way to utilize the shortest distance possible. After brief discussion by general consensus, PU 1983-7 WAS REFERRED TO THE PUBLIC WORKS COMMITTEE.

COMMUNITY DEVELOPMENT BLOCK GRANT - JOBS BILL - HEARING

A hearing to receive comments for programming and utilization of Community Development Block Grant funds the City anticipates receiving as a result of the enactment of the Jobs Bill. Community Development Director Wray indicated basically, it is proposed that we use the funds like other C.D. funds are utilized in C.D. areas. He indicated it is proposed to have job intensive use and as a result of the hearing tonight, his department would put together a budget and bring it back to the public hearing on June 7. He indicated he also understands that the funds must be obligated by September of this year. The Mayor opened the hearing to the public.

Sarah Bond, 714 South State Street, asked that some funds be utilized to help take care of the ditch that runs along South State Street and the erosion problems it has it has created.

Debra Matthews, representing the YWCA, Hargett Street Branch, presented a program entitled, "Golden Oaks - An Effort to Provide for Social and Physical Needs of the Elderly." She presented a prepared statement of how this program would work, activities that would be involved, who it would be available for and how it would be run. She indicated she is requesting that consideration be given to their proposal for funding to the extent that the YWCA may implement the program. She indicated the program would cost $18,107.00.

Lucille Caster, a member of the Board of Directors of YWCA, spoke in support of their proposal for funding additional services for Senior Citizens. She indicated she has participated in the physical fitness class provided by the Hargett Street Branch YWCA and the class called OAKS which stands for, "Older Adults Kan Shape Up," is a very beneficial program to her both physically and socially. She asked the Council to consider supporting the program.

Carol Ward of Dixon Drive, representing Meals on Wheels, indicated they are asking for funds to provide service for 13 additional persons in the C.D. area. She stated they have served 12 people in this area in the past and they are serving 5 of these utilizing funds other than C.D. money. She indicated they are requesting an additional $6,929.00 pointing out there would be no additional administrative cost that this would just be to cover the other persons.

Mary Jo Littlewood, representing Homemaker-Home Health Aid, indicated their organization would like an additional $16,000.00 to be able to add back the hours that they had to cut out on the 22 people that they are currently serving in this area. She stated they have about 8 people on the waiting list and this money would permit them to service those and continue the other 22 and pick up 8 to 10 more people who are in the C.D. area that need this service.

Community Development Director Wray indicated the City has received the following request: Raleigh Housing Authority - landscaping projects in various areas including Chavis and Kentwood - $85,000.00; Parks and Recreation Department - landscaping work at Mt. Hope Cemetery - $100,000.00; a request from the Public Works Department for building a bridge across Rocky Branch Creek at $104,000.00 and $10,000.00 for Fayetteville Street bridge demolition. He stated we have also received two requests from neighborhood groups tonight, State Street and Postell, for drainage problems.

Ms. Susie Perry indicated she did not know what this money is supposed to be utilized for. She indicated many times she has asked that South Park be given money and questioned if it would be an eligible area. She indicated there is a bad drainage problem at East/Branch Streets and asked that this be considered. She indicated that

she, too, would support the request from Homemaker-Home Health Aid but would suggest that they be given a little more than the $16,000.00 as we never know when other people need to be served. She indicated the City of Raleigh is in need of adequate housing and if any money could be used for that purpose, she feels it would be good.

No one else asked to be heard, thus the hearing was closed.

MATTERS SCHEDULED FOR PUBLIC HEARING BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION

The City Council went into a joint hearing with the Planning Commission at 8:30 p.m. to consider various text changes as advertised. The items heard during that portion of the meeting are covered by a separate set of minutes.

Gail G. Smith
City Clerk and Treasurer

jj/cc2